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The undersigned hereby certify that they have read and recommend to the Committee on Graduate Studies for acceptance, a dissertation on 'The Development of Medieval Papal Supremacy', submitted by Robert Rodger Wark, B.A. in partial fulfilment of the requirements for the degree of Master of Arts.

The Development of Medieval Papal Supremacy

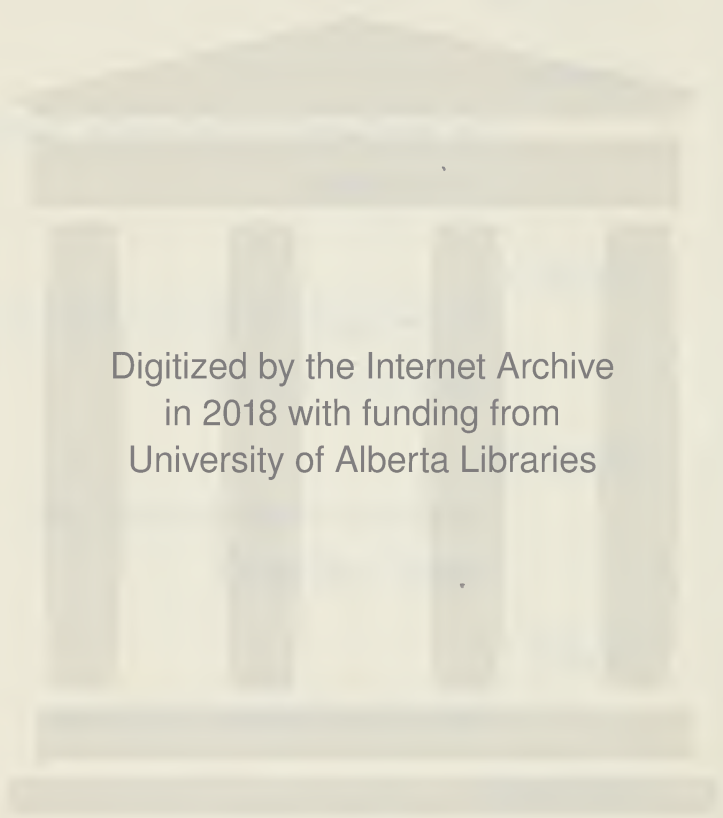
by

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A thesis submitted to the University of Alberta in partial
fulfilment of the requirements for the degree of Master of Arts

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Introduction

To many the term 'the Middle Ages' suggests rather vague and romantic ideas of castles, knights, tournaments, crusades and gothic cathedrals; in general a brilliant tapestry with great imaginative appeal woven of rich and colorful stuff. To others the name conjures up conflicting notions of black magic, superstition, alchemy and astrology against pure Christianity, philosophy and poetry. Still others think of the period merely as a dusky passage in European history between the decline of the Roman Empire and the rise of the Modern World. What very few realize is that the Middle Ages, as well as being in part all of these things, covered about one third of the recorded history of Europe, and had a civilization which, far from being chaotic and disorganized, possessed probably more unity of purpose than our own. Especially is this evident in the governmental institutions which developed during the period, and form, all in all, what is likely the most complete expression of the medieval mind.

The pivot on which the whole of the political philosophy of the Middle Ages turned was unity through Christianity. The idea of a universal secular empire was inherited from the Romans, but to this was added the further cementing factor of a common faith. The whole of Christendom was conceived as one vast com-

munity of which all the various members owed allegiance to a single authority, which was generally conceded to be divine in origin. It was, in a sense, the tragedy of the Middle Ages that a period so intent on the idea of authority should be confronted by two great powers, the papacy and the empire, both of which claimed sovereignty in their own fields. In its very nature the doctrine of unity to which the medieval mind subscribed demanded that one of these forces must be superior; the battle between them is the central theme of the period. Ultimately the papacy was victorious, but the cost of the triumph had been great, and the struggle itself accelerated and aggravated factors which were ultimately to cause the ruin of the medieval system. The emperor and the pope, though constantly engaged in the most bitter strife, both owed their positions as universal monarchs to what was basically the same idea; when one was crushed the power of the other was inevitably weakened. It is indeed a bitter irony that the pope in establishing his supremacy by destroying the emperor was doing little more than assisting those who shaped a noose for his own neck.

The fact remains, however, that during the greater part of the thirteenth century the pope was unquestionably the most powerful force in European affairs. Secular princes were his servants, he appointed them and replaced them almost at will,

and interfered frequently in matters which had not the remotest connection with the church. It was a pinnacle of power which has not often been attained, and seldom, if ever, surpassed. Europe, during the period, was actually a single gigantic empire administered by priests and princes who all obeyed the will of Rome.

The purpose of this essay is to trace the development of this great papal authority in the various fields which it entered. The first section sketches the growth of the temporal, or secular, power of the popes from the time it was first effectively asserted in the middle of the eleventh century by Gregory VII through to its apogee under Innocent III and finally to its collapse during the pontificate of Boniface VIII. The second chapter discusses a less popular but equally important aspect of the problem, the growth of the papal supremacy within the ecclesiastical organization, and the development, under papal patronage, of the central administration of the church. The final division, which presents several of the contending theories regarding the development of the papal power, is really a commentary on the course of the struggle by several distinguished intellectuals contemporary with the events. It may seem odd to leave the theory until the end, but it must be remembered that although the writers often analysed the situation with amaz-

ing lucidity, it is only on one or two rather rare occasions that they pointed in a direction which events had not already followed.

Since the investigation has been conducted in large part from secondary authorities it should not be expected that any quantity of startlingly new information has come to light. The object of the study was to re-survey existing material from a new standpoint, for, strange as it may seem, although historical scholars have devoted considerable time to detailed phases of the papacy, no one seems to have bothered to present a more concise view of the institution as a whole at this period of its greatest glory.

Chapter I

The Development of the Secular

Supremacy of the Papacy

One of the most arresting aspects of medieval Christianity is the very considerable secular power of the Papacy, a phenomenon which may profitably be viewed as a manifestation of feudalism. The idea of ultimate unity through hierarchy, inherent in feudalism, was singularly adaptable to the church. Thus it was that two great institutions, the Empire on the secular side, the Church on the spiritual, rose out of the mist of the early Middle Ages. The fundamental nature of the conflict between those two catholic powers is possibly not apparent. It might be thought that there is no obvious reason why church and state could not exist side by side, each controlling its own sphere. Such a condition, though it was occasionally suggested by both parties during the struggle, was foreign to the political philosophy of the period, which demanded some ultimate supreme authority on all matters. Also, and this was what first brought the conflict into the open, the great abbots, bishops and archbishops were lords temporal as well as spiritual. They ruled vast estates, commanded large armies and drew in great revenues. The emperor, as would seem natural, could not afford to have such powerful men independent of his authority. Consequently he demanded the right not only to command their allegiance, but also to appoint to the benefices when they fell vacant, resting his claim to do so on the theory that all land was held in fief from the Emperor.

To this, of course, the pope raised strenuous objection; the lords spiritual were his realm exclusively. But the feudal pyramid could have only one apex, a conflict was obviously inevitable.

The struggle, which covers roughly the twelfth and thirteenth centuries, really ends only with the disintegration of the contending powers before the ever growing force of nationalism. But before that time the pope was destined to humble his proud opponent, grind him in the dust, and become in fact as well as in theory the supreme power in western Christendom. To trace the course of this conflict of the spiritual with the secular powers, the enunciation of the papal claims by Gregory VII, the realization of these pretensions under Innocent III, and the ultimate denouement with Boniface VIII, is the object of this chapter. Elsewhere we shall discuss a variety of factors which all bore on the issue, but here let us merely sit back and survey the sequence of events - and marvel not a little at the dictates of Fortuna.

In the late ninth and early tenth centuries the papacy sank into utter impotence and sterility. During the Pornocracy, as this particular epoch in the history of the Roman pontiffs is called, the tiara was little more than the plaything of the Roman nobles. They bandied it around, bestowing it on some

malleable creature who would serve their ends, disposing of him in some manner or other should he prove recalcitrant. It is a bitter twist of fate that the power which rescued the papacy from this humiliating situation was the very power which four centuries later was to be crushed by the then supreme might of the pope, its own protege. In 824 Lothar, who had been entrusted with the government of Italy by his father, the emperor Ludwig the Pious, demanded an oath of the people of Rome to respect the integrity of the Papal See. The oath was reaffirmed and strengthened by the Constitution of Otto, a document bestowing upon "lord Otto I, king of the Germans, and his successors in the kingdom of Italy forever, the right of choosing the successor of the Pope, and of ordaining the Pope and the archbishops and bishops, so that they shall receive their investiture and consecration from him"². This, of course, made the papacy a fief of the empire, but at least it was a position of comparative security and dignity. During the period of the Ottos the popes generally received imperial support, but their successors, Henry II and Conrad II, had little interest in Italy or the papacy, and the Constitution of Otto lay in abeyance from 1002 to 1046. The incident which brought renewed imperial intervention well illustrates the inability of the Roman pontiffs to fend for themselves, as well as the sandy foundation on which

the chair of St. Peter was resting. Benedict IX, a gay debauchee, who had been deposed but had managed to force his successor, Sylvester III, out of Rome, decided to take unto himself a legal wife, and consequently sold the papacy to one, Gratian, who took the name Gregory VI. Unfortunately the young lady's father, who had received substantial bribes from Sylvester who wished to spite Benedict,³ now refused to surrender his daughter and the marriage did not take place. Benedict, feeling with some justice that he had been duped, started out with an army to regain the papacy. So did Sylvester; and Gregory was no less prepared to maintain himself. Three papal armies at war with one another was too much even for the Romans. Henry III came down into Italy late in 1046, deposed all three popes and placed his own candidate, the Bishop of Bamberg, on the papal throne as Clement II. The Roman populace assented humbly and thankfully.⁴ Henceforth until the death of Henry III, imperial popes reigned undisturbed in Rome.

At about this time Hildebrand, the first member of our great trio, makes his appearance in the papal councils. He had not, contrary to a popular notion, just come from that great centre of reform, Cluny.⁵ But he was fired by a zeal to purge the church, and to liberate the papacy from its position of subservience to the emperor, though at this time he did not consider that the spiritual was necessarily superior to the secular arm.⁶ Hildebrand

and his fellow reformers were the main impetus behind the famous election decree of Nicholas II, which vested the real power in the papal elections with the seven cardinal bishops. "In the papal election", reads the decree, "due honor and reverence shall be shown our beloved son, Henry, king and emperor elect";¹ but it was tacitly understood that the emperor was to confirm the decision of the cardinals. Hildebrand also had a part in securing the allegiance to the papacy of the Normans in southern Italy² - a great asset in the forthcoming struggle with the empire.

On the death of Nicholas, Hildebrand, relying on the election decree and the infancy of the new king, Henry IV, resolved on a bold move. He summoned the cardinals and caused the Bishop of Lucca to be elected as Alexander II, without the emperor's consent. The imperial bishops, who had no desire to fall under the reforming zeal of a Hildebrandine pope, assembled at Basle, annulled the election decree and the election, raising the Bishop of Parma to the papacy as Honorious II. Schism and civil war ensued; it was nearly three years before Alexander was recognized generally as pope. Hildebrand profited by the experience; he realized that it had been too daring a step, and consequently was careful in 1073 to seek imperial ratification for his own election to the papal see, thus avoiding the cataclysm which had threatened his predecessor.

Gregory VII, as Hildebrand became on his accession, did

not set out with any fixed determination to humble the empire, but he did begin immediately, as a matter of policy, to bolster the position of the papacy. With as much speed as the papal dignity would permit, Gregory made his way to Apulia, there to have the Normans renew their promises to the Roman Pontiff. Although the Princes of Benevento and Capua were quite agreeable, Guiscard, the most powerful of the group, refused to consider himself a papal vassal. Gregory was annoyed, for the alliance would have lent weight to the papal view in certain disputes with the Emperor (the Milanese Bishopric and the excommunicated councillors) which Alexander had bequeathed to his successor. Gregory was really very anxious to have the young king's friendship, and had no desire to coerce him.^a In fact he went to the trouble of writing a good many letters to the king's friends asking them to commend him to the young monarch. Henry, who wished the pope's cooperation in subduing the rebellious Saxons, chose to be submissive. "Since by ourselves and without your authority we are not able to correct the churches", whines Henry in an abject letter to Gregory, "concerning them as also concerning all other things, we seek most earnestly both your counsel and help; most carefully we shall keep your command in all things."¹⁰ Gregory, naively confident that Henry was a dutiful son, plunged into his program of church reform at the Lenten Synod of 1074, passing decrees against simony and clerical marriage. So long as

Henry's friendship was maintained the staunch opposition of the German clergy to being purified might be overcome. However, things took on a slightly different hue in 1075 with the passage, at the Lenten Synod for that year, of the first decree against lay investiture. It was actually but a mild expression of a very old idea and was not designed to infringe the imperial rights.¹¹ Gregory felt that it was necessary to support his various reform measures, and the fact that he sent the text to Henry with a covering note offering to compromise if the king felt the measure unjust,¹² surely indicates that he had no ulterior motive. Henry, although he had defeated the Saxons decisively at Unstrut in June 1075, had good reason to remain on friendly terms with the pope, for he had not yet been officially crowned emperor. For this reason possibly, he abstained from making any direct reply to Gregory's message.

The point of rupture between pope and king was, as it had been with Gregory's predecessor in 1072, the bishopric of Milan. The city, since the time of Alexander II, had been the scene of continual strife. During the greater part of the interval there had been two rival archbishops, each of whom was supported by factions within the district. Although Henry had given him license to do so, Gregory had never really settled the matter. Following a particularly violent insurrection in the city the citizens appealed to Henry to decide the affair once and for all. At first he ignored their requests, but eventually, egged on by

an increasingly favourable situation in Germany and by council-lors anxious to promote any scheme which would embarrass the pope, Henry decided to cast off the pious guise behind which he had been hiding and emerged in his true colors. What a bitter awakening for Gregory! Not only did Henry fill the sees of Milan, Fermo and Spoleto with appointees of his own choice, but he opened negotiations for agreements with the Lombard bishops and with Robert Guiscard - alliances which could be aimed only at crushing Gregory. But the Pope was not without friends. The Roman populace, that fickle factor in papal politics, had been taken with a quaint affection for Gregory. A short time before Henry's action a rebel, Cenci, had abducted the pope while he was at the Christmas Eve service at Santa Maria Maggiore. The people of Rome raised such a clamour that, far from gaining any advantage from his plan, Cenci considered himself lucky, by returning Gregory post-haste, to escape with his own hide whole and entire. Then, too, the Countess Matilda of Tuscany was steadfast in her devotion to the papal see. Gregory, taking stock of this support, and deeming it sufficient, wrote back to the king a letter addressed significantly, "to Henry, greeting and apostolic benediction - that is, if he shall prove obedient to the apostolic see as a Christian king should"¹³. The pope had definitely taken the offensive, but Henry was not slow to counter. A council met at Worms early in 1076 and declared Gregory deposed; the decision was echoed by the Lombard bishops from Piacenza, and the king himself

sent a letter, "from Henry, king not by usurpation but by the holy ordination of God, to Hildebrand, not pope but false monk".¹⁴

Gregory, fresh from the sanctity which the Cenci affair had bestowed upon his person, received the decree of Worms at the Lenten Synod of 1076. The pope, enthusiastically and firmly bolstered by his council, appealing in a magnificent rhetorical passage to St. Peter, St. Paul and all the other saints to witness to the justice of his cause,¹⁵ excommunicated Henry and suspended the bishops who had joined in the proceedings at Worms and Piacenza. The effect of the decree was stifling for the king. Henry was in great difficulty. He summoned councils to meet again at Worms and Mayence. No one came to the first meeting and nothing was accomplished at the second. The Saxons were in revolt once more. The princes had assembled at Tribur to elect a new king. Obviously it was time for Henry to be submissive again. He was obliged to promise "to show henceforth fitting reverence and obedience to the apostolic office",¹⁶ and it was further stipulated that if he had not made his peace with the church before February 1077, another council meeting at Augsburg under the presidency of Gregory, would appoint a new king.

Henry now resolved on a brilliant but daring move. He knew, of course, that the German princes wanted to rid themselves of him and put a puppet up in his place. Consequently if he waited to seek absolution until Gregory and the princes had assembled at

Augsburg he would be ruined. He must get to Gregory before Gregory got to the council. Already the Pope, infatuated by the idea of sitting in judgment on a German king, had arrived in northern Italy where he was to meet the escort which the princes were sending to conduct him into Germany. Early in January, by one of the most difficult Alpine passes, the Mt. Cenis, (all the others were in the hands of his enemies), Henry and his family crossed into Italy to meet the pope. Lambert gives a vivid picture of the journey; "the cold was intense, there had been heavy snow so that neither men nor horses could advance in the narrow road along the precipices without running the greatest risks glaciers covered the sides they were obliged to descend men had to crawl upon their hands and knees the Queen and the women attached to her service were placed on a kind of sledge made of ox hide, and the guides dragged them the whole way".¹⁷ Meanwhile, Gregory, fearing the hostility of the Lombards, hid himself in the Countess Matilda's castle, Canossa, situated on a craggy spur of the Appenines, south-east of Parma. It was there that the king went as a humble penitent to seek absolution. He might have had a Lombard army for the asking and enforced his will on Gregory, but he put the temptation aside, wisely realizing that it would only lend strength to the opposition forces in Germany. So, we are told,¹⁸ a great emperor elect, bare-foot, in sack cloth, waited humbly three days in the courtyard of

Canossa amid ice and snow seeking forgiveness and reconciliation with the pope. Gregory could not refuse to accept a sincere penitent, and finally, after much entreating on the part of the Countess Matilda, he pardoned Henry and once again admitted him to the communion of the church. Superficially it would appear to be a great victory for Gregory, but in reality it was a hollow triumph. It is true that Henry humbled himself before the pope, but he conceded none of the points at issue. Nowhere in the oath which Henry took to the papacy at Canossa is there any mention of investiture, the right of popes to depose kings, or any sign that Henry would do penance for the vague and scandalous charges that had been brought against him. But the ban of the church had been lifted and Henry was once again regarded by his subjects as their lawful sovereign. The German princes now had no further use for Gregory, and although it is evident from his letters that the pope still hoped to preside over a German council, the promised escort did not arrive. In September Gregory made his weary way back to Rome.

The princes, foiled in their first thrust, lunged a second time and elected Rudolph of Swabia as king, at Forchheim, (March 1077). Rudolph and Henry now both sought papal support. Gregory, and I see no reason to doubt his sincerity, was genuinely concerned about which was the more righteous of the two candidates,

though it is hardly to wondered if he had something of a bias towards Rudolph. Nevertheless it was three years before he was brought, or more accurately, forced, to a decision. The partition of Germany into two camps was, by that time, fairly complete. It was a fateful division, the partisans of Rudolph under Duke Welf, and the rest under Henry and the young Count Frederick of Hobenstaufen. When, in May 1079, the legates Peter and Ulrich arrived in Germany to present the pope's decision, it was too late to arbitrate. There was much palaver. Henry, whose position was relatively strong, became impatient and determined to provoke Gregory to a decision by reopening the war with Rudolph (a truce had been declared pending the papal verdict). The result was inevitable. "Henry", reads the papal edict, "is justly cast down from the royal dignity for his insolence, his disobedience and his deceit, and Rudolph, for his humility, his obedience and his truthfulness is granted the power and the dignity of kingship"¹⁹. If Gregory expected a result similar to that in 1076 he was to be sadly disappointed. On the previous occasion Henry had deposed the pope, and Gregory's retaliation by deposing Henry was considered quite correct. Now, however, the pope had taken action first, and so Henry's deposition of Gregory at the Council of Brixen was considered well within the imperial rights. Even as Gregory had recognized Rudolph as the new king, so Henry appointed another pope, Guibert of Ravenna.

It behooved Gregory to muster a few comrades in arms. He turned to Robert Guiscard and by making him some concessions (one of the first occasions upon which Gregory bargained) managed to have him reswear the old oath to Nicholas II - "I will aid you (the pope) and the Holy Roman Church to hold, to acquire and to protect the revenues and the property of St. Peter to the best of my ability against all comers and I will aid you to hold the Roman Papacy in security and honor"²⁰. But Guiscard had interests other than protecting the Patrimony of Peter, and while Rudolph died of wounds following the battle of Hohen - Molsen the Norman was away fighting the old Byzantine Empire in Asia Minor, thus leaving the feeble forces of the Countess Matilda as the pope's sole refuge. It was a very low point in Gregory's fortunes. Outside the walls of Rome howled king and anti-pope, inside was grumbling and insurrection. Only the unhealthy environs of Rome in the summer had prevented Henry completing the sieges of 1081 and 82. 1083 proved a more successful year. By June Henry was in possession of the Leonine city, Gregory had taken refuge in the Castle of St. Angelo, and the citizens of the main city guaranteed that the pope should summon a synod in November which would decide on the king's case. The council was a farce. Henry prevented those in favor with Gregory from attending, and the rest, being under suspension for supporting an excommunicated king, were not invited. In March of 1084 the Roman citizens, exhausted

by the siege, opened the gates of the main city to Henry. Emperor elect and anti-pope entered in triumph. Guibert was installed as Clement III and the long delayed imperial coronation took place. The Norman, Guiscard, back from the east, realized that the imperial wrath would next fall on him, and decided to strike while he still held the advantage of an attacker. Before his advance, in the middle of May, Henry, who had not enough fresh troops to risk a battle nor enough confidence in the fickle Romans to risk a siege, beat a hasty retreat. Gregory was taken from St. Angelo and re-established in the Lateran, but the terrible sack to which Rome was subjected by its 'liberators' made it impossible for the pope, who had been the initial cause of the strife, to remain in the city. He went south, with Guiscard, to Salerno, where he died less than a year later, a valiant but vanquished man.

It is in a sense unfortunate that two men of the precise temperaments of Gregory VII and Henry IV should find themselves forced into such intimate relations. Had Gregory been just a little less exacting, a little more charitable, and Henry a little less impulsive and not quite so impetuous their bitter conflict might have been avoided. That it was not all Gregory's fault is amply proved by the pleasant nature of his relations with some of the other European powers - England for instance. Gregory is constantly addressing William the Conqueror in such affectionate terms as:

"best beloved"²¹, "glorious king of the English"²², "jewel among princes"²³, "model of obedience"²⁴, and the like, yet William held just as strongly by the doctrine of lay investiture as did Henry. The explanation is, of course, that William had the interests of the church at heart, as did his archbishop, Lanfranc. Then again, Gregory inherited no legacy of ill will with England. Relations between William and Alexander had been most cordial; indeed, that pope had given his blessing to the Norman conquest of England. Not that Gregory and William were without their differences. William's attitude that nothing could come from or go to Rome without his consent was naturally distasteful to Gregory. There was a little tussle in 1079 about Norman bishoprics, and Gregory, who was all powerful at the time, actually suggested to William's envoys that the king do homage to the papacy for England. William did not fly into a rage but merely ignored the issue - Gregory, who soon fell upon hard times, thought it best to let it pass.

Relations with France were not quite so happy. The kingdom was in such a decrepit state that Philip I was obliged to rely on those very clerical abuses which Gregory was so anxious to suppress as his main source of revenue. It is only to be expected then, that he was opposed to church reform and that Gregory, to bring him to heel, was forced to threaten him with excommunication. Philip was in no position to withstand the ban of the

church and acquiesced, though with a rather bad grace. Gregory's system of legates met with such success in France that the authority was granted permanently to Hugh of Die and Amatus of Oloron. Bishop Hugh, who had jurisdiction over northern France, was excessively severe in the exercise of his office, and provoked considerable opposition both to himself and to the papacy. At no time during the pontificate of Gregory VII, however, was there an open breach between France and Rome.

While the papacy did not rise to its greatest height under Gregory, it was certainly he who gave to it the new loftier conception of its destiny. It was he who first realized that the application of the feudal hierarchy to the church would convert the vague suzerainty of the papacy into a powerful, authoritative force. That he was not the creator of these ideas is quite true, but he was the medium through which they first found practical expression. The system he visualized was to guide monarchs in the path of virtue rather than to grind them into the dust. "I have loved righteousness and hated iniquity, therefore I die in exile"²⁵ - had Gregory been a little less tenacious of his moral goodness, a little more forgiving, he might have lived to see his great vision of a unified Christian Europe under the Papacy come true, and had no cause to utter the latter phrase of that dying gasp.

The immediate successors of Gregory VII, as might be expected, had their hands full to preserve the integrity of the papacy at all, let alone advance further along the path indicated by their illustrious predecessor. It is true that Urban II (1088 - 99) effectively asserted the supremacy of Rome in spiritual matters, but he was much less concerned with politics than was Gregory VII. During his pontificate, however, the northern Italian bishops renounced their allegiance to Henry and were reconciled to Rome. Also, at Urban's instigation,²⁴ Matilda, who the Pope feared was about to make terms with the Emperor, married the young Duke Welf; an unnatural compact, to be sure, since the Countess was 43 and the Duke only 17, but the nuptials brought Henry IV back to Italy in high dudgeon and the expedition was ultimately to prove his ruin. Urban, when young Welf had served his purpose, dissolved the marriage, thereby not imperilling Matilda's settlement bequeathing all her lands to the church.

Yet another factor lending strength and prestige to the papacy at this time was the beginning of the crusades. The task should logically have fallen to the Empire, but it was the papacy that took the lead. Urban himself, preached the Holy War in Italy and France. To appear as the main impetus behind such a popular movement naturally enhanced the reputation and auth-

ority of the pope, even as his apathy served to diminish that of the emperor.

Urban's successor, Paschal II, was a timid soul best remembered for his well meant but highly impracticable attempt to settle the investiture problem with the new king, Henry V. The church was to surrender to the king all the property it held in fief, in return for which Henry was to give up entirely the right of investiture. Naturally the clergy raised a tremendous howl. Paschal submitted himself to the prelates who immediately declared the concession nul and void. The unfortunate pontiff was buffeted around by the king and the bishops until his death in 1118. His successor, Gelasius II, fared little better but mercifully lasted only one year. By this time the strife had worn down the contesting parties and the next pope, Calixtus II, was strong enough to be able to compromise successfully with Henry. The result, the famous Concordat of Worms, was a truce rather than a final settlement. Henry, in addition to making a general peace with the church, granted specifically that "elections and consecrations shall be conducted canonically and shall be free from all interference"²¹, and he also surrendered investiture with the ring and the staff. The pope granted in return that "in Germany the election of the bishops and abbots who hold directly from the crown shall be held in the royal presence you (that

is, the king) shall confer the regalia of the office upon the bishop or abbot elect by giving him the sceptre the bishop or abbot on his part shall perform all the duties that go with the holding of the regalia".¹² Actually, it was a settlement of but a minor issue, the great matter which Gregory had introduced, which was supreme, papacy or empire, was tactfully ignored on both sides.

The compromise thus arrived at with the empire lies about midway between the settlements made with France and England. In the former country Philip's hold was so weak that he was unable to resist the investiture decrees, and his power to appoint to important benefices fell into abeyance. England, with its highly centralized monarchy, presented a striking contrast. Unfortunately, William II and Henry I were not consumed by the same reforming zeal as their father, but they held tenaciously to the powers which the Conqueror had exercised over the church. Naturally the papacy balked. The first trouble occurred with Anselm's return to England after exile and residence in Rome. The archbishop, fresh from the anti lay investiture atmosphere of the curia, immediately came in conflict with Henry. The skirmish was a long one ending finally in 1107 with Henry giving up the formal act of investiture, though his control was really little affected. Paschal had intended this concession as a temporary bribe, but Henry and future English kings,

took it as a permanent settlement. More trouble, of a slightly different nature, broke out between England and Rome in 1114 when Ralph, Henry's appointee to the see of Canterbury, came to Paschal for the pallium. The Pope granted the request, but sent Anslem (nephew of the archbishop) to England as papal legate in 1116, to keep an eye on Henry. The king refused to permit the legate to enter the country. In 1119 Henry met Calixtus at Gisors and explained that by long standing custom no legatine authority could be exercised in England. Calixtus apparently assented,²⁹ but continued to send legates anyway. In 1125 Henry actually weakened to the point of permitting John of Crema to hold a legatine council. Finally in 1126 a compromise was reached satisfactory to both king and pope, with the appointment of the Archbishop of Canterbury as permanent legate.

The deaths of Calixtus II and Henry V shortly after signing the Concordat, and the succession of a rather timid king, Lothaire of Supplinburg, together with mediocre line of popes, leaves the situation very slightly altered over the next thirty years. A schism set in at the death of Honorius II in 1130, and it was nine years before one of the contesting candidates, Innocent II, was able, with the support of Louis VI, the Emperor Lothaire, Henry of England and Bernard of Clairvaux (the greatest religious force of the period) to establish himself

firmly on the chair of St. Peter. No sooner had he done so than the temporal, and even spiritual authority of the papacy was challenged by the insurrection of Arnold of Brescia. He hounded the successors of Innocent II, Celestine II, Lucius II and Eugenius III mercilessly, and it was not until the faction had somewhat abated its fury in the early 1150's that the pope was at all secure.

About the middle of the century the empire and the papacy were both granted new rulers of a more decided hue than they had had for some time. Conrad III had been succeeded by his nephew, Frederick Barbarossa, who combined in his person the rival factions of Welf and Hohenstaufen, thus bringing Germany the prospect of a moment's respite from civil strife. Internal peace, however, permitted the forceful, brilliant and resourceful young king to turn his attention towards bigger things. To balance the new imperial power, on the death of the very peaceful successor to Eugenius III, Anastasius IV, in 1154, the tiara descended on that bold, though somewhat misguided Englishman, Nicholas Breakspear, Hadrian (or Adrian) IV. Hadrian started out by placing Rome under an interdict for an injury done to one of his cardinals during a procession. He thus achieved the fall and expulsion of Arnold and his partisans. That the new pope had no humble conception of papal jurisdiction is well

illustrated by his munificent grant to Henry II of the whole of Ireland. It is hardly surprising, then, that when the proud Frederick Barbarossa descended into Italy in the autumn of 1154 to receive the imperial crown from this pompous pontiff, sparks should begin to fly. Frederick captured Arnold of Brescia and sent him as a peace token to the pope. Thus eased, things might have come off smoothly had it not been that at their first meeting Frederick was reluctant to hold the stirrup for Hadrian to dismount from his horse, as Lothaire had done earlier for Eugenius III. The dispute dragged on for a whole day before Frederick was obliged to yield - fortunately Hadrian had not waited but had dismounted by himself. The two went off to Rome enjoying an amiable enmity. Frederick, in return for the Imperial crown, utterly crushed the rebellious Roman populace for the pope. But no sooner had Frederick left the city than Hadrian, to secure himself against so formidable an ally, concluded a protective alliance with the Norman king, William, in southern Italy. The emperor immediately detected the treachery. Hadrian made matters worse by writing a letter to Frederick in which, by way of assuring the emperor of his noble and amiable intentions, he concluded condescendingly: "we do not regret having granted the desires of your heart; nay, we would be glad to confer even greater benefits (Beneficia) upon you"³⁰. Frederick flew into a rage. He took the

phrase to mean, as the use of the terminology of feudal tenure would certainly imply, that the pope considered the emperor his vassal. He replied in a disdainful tone: "God, from whom proceeds all authority in heaven and in earth, has intrusted the kingdom and the empire to us, His anointed, and has ordained that the peace of the church be preserved by the imperial arms".²¹ Adrian was obliged to make a rather hasty and abject apology, and an outward reconciliation took place. Next year when Frederick came to Italy all was ostensibly milk and honey. But the extreme presentation of the theory of imperial supremacy made at the Diet of Roncaglia evidenced the true state of affairs; pope and emperor were soon at one anothers' throats again. When Frederick received with favour a deputation from the republican party in Rome, Hadrian's indignation knew no bounds. Had his own death not intervened the pope would surely have excommunicated the imperious emperor.

As would be expected at such a crucial point, the cardinals could not agree on a successor. Those favouring Hadrian's attitude chose Roland, Alexander II; the Imperial party selected Octavian, Victor IV. Schism rent the church. Anathemas and excommunications were thrown around in great style. Frederick, wishing to reassert the old imperial power in papal appointments, summoned the warring pontiffs to an assembly at Pavia. Alexander,

who naturally did not appear, was declared deposed and Victor was recognized by Frederick as pope. Outside of Italy the imperial candidate did not fair so well. At Tours at Whitsuntide 1163 a great assembly, headed by Louis VII and Henry II of England, acknowledged Alexander, who had fled thither, as lawful pope. Unfortunately for Alexander and luckily for Frederick it was at just this time that Becket had his first disagreement with Henry. The Constitutions of Clarendon had reduced the clergy to common law, forbidden prelates to leave the realm or appeal to Rome without royal consent, and prohibited the publication of excommunications of the king's servants unless the king assent. Becket, at Northampton, recanted his original adherence to the document and was obliged to flee the country. Alexander could do nothing but annul the Constitutions, and Henry, for revenge, actually made an agreement with Barbarossa at Wurtzburg in 1165 to assist in the establishment of Paschal III (Victor's successor) on the papal throne.³¹ The sentiment of the English nation, however, lay overwhelmingly with Becket and Alexander, and the project never materialized.

The general situation was favorable enough to permit Alexander to return to Rome in December 1165, but he was not allowed to rest there long. Frederick, recalled to Italy in the fall of 1166 by the opposition which his administration had pro-

voked in the Lombard cities, decided to push on to Rome in the spring of the following year. Alexander was once again forced to flee, though this time only so far as Benevento. Frederick's triumph was short-lived. "A heavy rain cloud burst over the city on August 2, and was followed by scorching sunshine; the malaria - fatal in August - became a pestilential fever. The flower of the unconquered army was carried away by an inglorious death The Germans were seized with terror, they believed that the hand of God was chastening them for the sufferings of the sacred city ... The Emperor struck his tents on August 6 and departed in dismay with the remains of his forces."³³

It was not until September 1174 that Frederick dared to return to Italy, and by that time Alexander had swallowed his pride and concluded a league with the Lombard cities, although their democratic and republican aims were the very thing he was fighting in Rome. Frederick found the league too strong to be subdued; in fact he was severely defeated at Legnano on May 29, 1176 and obliged to seek terms. A preliminary treaty was concluded with Alexander at Anagni, by which Frederick recognized him as pope, agreed to a truce with the Lombards and Normans in Sicily, and also to attend a conference, finally established, after much wangling, at Venice, where the definitive peace would be made. The meeting at the City of the Lagoons, if less

dramatic than Canossa, represents a more solid, though as yet far from complete, papal triumph. Alexander received Frederick in the vestibule of St. Mark's. The emperor, in sincere reverence, threw aside his imperial mantle and prostrated himself before the pope. Alexander, no less moved by the occasion, raised Barbarossa to his feet and gave him his benediction. Following the meeting, the pope returned in triumph to Rome where he passed the remaining three years of his reign comparatively peacefully, pursuing church reform, and mediating between Henry II and his sons and Louis VII.

The last mentioned phase of Alexander's activity deserves another word or two. During Becket's exile Henry had tried all possible methods of bribery to have Alexander pronounce against the archbishop. Finally, when Alexander refused to yield, Henry permitted Becket's return, more to keep him quiet than anything else. The subsequent murder of the archbishop recoiled immediately on the English king. Alexander promptly canonized Thomas, and would not suffer Henry's name to be uttered in his hearing. A general interdict was stayed off only by the surrender of the Constitutions of Clarendon. In 1171 this 'proudest of the Plantagenets' wrote to Rome in an attitude of abject submission: "I and my eldest son, King Henry, swear that we will receive and hold the kingdom of England from our Lord, Pope

Alexander, and his Catholic successors".³⁴ In spite of this, it should be noted however, that Henry did not surrender his control over episcopal elections, or the domestic affairs of the English church.³⁵ Although he was obliged to fill benefices more quickly, Henry still retained the administration of their revenues during vacancies. He still forbade the excommunication of his servants without his sanction. Freedom of recourse to Rome was granted, but the claim still rested that legates coming from the Curia must have the king's permission to enter the country.

Five popes, none distinguished, occupied the chair of St. Peter in quick succession after the death of Alexander III. The first two of the quintet, Lucius III and Urban III, squabbled with Barbarossa about Matilda's notorious inheritance, and goaded the emperor (though in truth it would take little persuasion) into the Sicilian marriage. Since William II of Sicily was childless, on his death the kingdom would revert to his aunt, Constance. Frederick, with typical determination, tore the reluctant damsel from a convent,³⁶ forced her to break her vows and to marry his son Henry, thereby effecting a union between the empire and southern Italy, and undermining the strategic position of the papacy. An immediate rupture between pope and emperor was prevented by the fall of Jerusalem and the proclamation of another crusade. But when William II died, the new pope, Clement III, quickly invested

an illegitimate scion of the Hauteville family, Tancred, with the Norman kingdom. Frederick had died on the crusade, and Henry VI was restrained from open war with the papacy only by his desire for an imperial coronation in Rome. As soon, however, as he had received the crown from Clement's successor, Celestine III, he turned his might against the Sicilian kingdom, which, after one or two unsuccessful attempts, he crushed with the aid of English gold - the ransom of Richard the Lion heart. Celestine, incensed by the excessive cruelty with which the annexation was accomplished,³⁷ excommunicated Henry; but the sentence had little effect. Henry's reign, though steeped in blood and gore, probably marks the highest point of the fortunes of the medieval empire. But the pinnacle which he had reached could be maintained only by brute force, and when he died at the early age of thirty-two he left no prodigy of Herculean strength as his heir, but his little son Frederick, a child of two. Celestine, who died very shortly after Henry, was succeeded by one of the most powerful of all the popes, Innocent III.

The pontificate of Innocent III (1198-1216) might possibly be considered the period of greatest glory of the Roman popes. It is the climax of the papal monarchy; the fullest expression of the Hildebrandine ideal; almost the central point of the middle ages. But the brilliance of the reign was not entirely the result of

the personal qualities of the pontiff. The situation in Europe generally was one of chaos, and cried out for a strong arm to restore order. The Empire was vacant. Constance made her infant son, Frederick, the ward of the pope. England was about to enter the anarchic period of John. France was not yet a thoroughly consolidated kingdom. The Byzantine Empire was tottering (as usual). And internal dissensions had wrecked the Lombard League.

In Italy the death of Henry had resulted in a spontaneous rising, in which Innocent joined, against the tyranny of the German overlords. Markwald of Anweiler, Henry's senechal, was obliged to give up the Romagna to the pope; the German Duke of Spoleto was forced to submit to the Italians; the long contested Matildan inheritance was finally incorporated into the Patrimony; and, to further enhance Innocent's position, the Lombard cities swore allegiance to the papacy. As if this were not enough, Constance died in November 1198 and the government of southern Italy then fell to Innocent by virtue of his wardship of young Frederick. Rome alone, with its proud warring families, refused to bend the knee to its lord. It has been observed that Innocent, during the early years of his pontificate, was content with less real power in his own city than in any other region of Christendom.³²

The situation in the empire was rather complex. Young Frederick's uncle, Philip of Swabia, the brother of Henry, though

he first supported his nephew's claims,³¹ proved not too reluctant to accept the empire when offered to him by the princes at Mulhausen in 1198. He was far from an unanimous choice however, and the opposition advanced Otto of Brunswick, the nephew of Richard of England. So the old struggle of Guelf against Ghibelline was again revived, this time with added international complications, for even as England supported Otto, so France assisted Philip. Otto, since he was not of the party that stood for uniting Sicily and the empire, was naturally the candidate towards which Innocent inclined. But even so, when Otto appealed to Rome, the pope politely refused to make a public decision between the rival kings. This encouraged Philip who, supported by the king of France, now in turn offered his plea to the pope. Innocent wished to have the matter submitted to a council,⁴⁰ and it was only when this expedient failed that he finally, in June 1201, gave his decision for Otto, in return for that monarch's complete submission to the papacy (Capitulation of Neuss). However, the recognition granted by the pope did not end the imperial schism. The fortunes of Philip's party were on the mend, and since the death of Richard of England, Otto had been in grave need of money.⁴¹ The defection of some of Otto's followers, notably Adolphus of Cologne, further weakened his support. Following his victory over the Welfs at Wassenburg in July 1206, Philip again opened negotiations with the pope, and

this time Innocent was obliged to treat with him, though he never really deserted Otto.⁴¹ Philip, however, at the moment of his triumph, was struck down by an assassin, Otho of Wittlesbach, whom he had duped in a marriage settlement. Otto of Brunswick, now uncontested king, pacified his opponents by marrying Philip's daughter, and then journeyed to Italy for the coronation. The event was coloured by the traditional smattering of blood in the Leonine city, but was otherwise quite peaceful.

Matilda's fateful inheritance soon destroyed the superficially friendly relations between emperor and pope, and open war quickly developed when it was learned at Rome that Otto was preparing an invasion of Sicily. When excommunication proved futile Innocent declared Otto deposed and called upon the princes of the empire to choose a new king, tactfully suggesting his young ward Frederick, who was now seventeen, for the position. He was duly elected at the Diet of Nuremburg in 1211. Otto hurried back across the Alps to see what might be done. Frederick emerged from his retreat at Palermo and journeyed to Rome where he was splendidly received by the pope and the Roman populace. A brilliant and cultured youth, Frederick quite charmed Innocent by his protestations of his good intentions towards the papacy. Frederick moved on to Germany, neatly eluding the watchful Otto, and was proclaimed emperor-elect at Frankfort in December 1212.

Otto made one last effort to re-establish his authority in 1214. He allied himself with John of England and gave battle to Philip of France, Frederick's firm supporter, at Bouvines. The action proved Otto's undoing, and although he dragged out his weary existence in Brunswick for another four years, he gave little trouble to the new king. So long as Otto lived, however, Frederick took care to maintain friendly relations with the papacy. He actually vowed to go on a crusade, and just a few days before Innocent died he issued a Golden Bull promising that he would not claim Sicily as part of the empire. Innocent, at the time of his death, had certainly no cause to suspect that his ward, this docile creature of the church, "the emperor of the priests"⁴³, would soon prove the most merciless foe of the papacy. So far as Innocent was concerned it was an outstanding victory.

Innocent's relations with John Lackland proved of the greatest importance to both England and the papacy. While Richard, the great crusader, lived, England and the papacy were on amiable terms, but with the accession of John in 1199 trouble quickly set in. John's failure to support Otto when Innocent did so, and his marriage to, and subsequent divorce from, his cousin, Isabel of Gloucester, early put a strain on relations with Rome.⁴⁴ The first open breach, however, was over the appointment of a successor to Hubert Walter in the see of Canterbury. Two candidates were chosen,

one by the king and one by the chapter - both hurried off to seek confirmation at Rome. Innocent accepted neither of the men and secured⁴⁵ the election of Stephen Langton. John flew into a rage. Innocent retaliated by empowering the bishops of London, Ely and Worcester to lay the kingdom under an interdict if John did not comply. The king was recalcitrant and the interdict was pronounced early in 1208. When John still refused to submit this was followed by excommunication in June 1209, and deposition in 1212.

The pope's action was popular both in England and France. But the cowardly king, terrified by the might which Philip Augustus, at Innocent's instigation, was preparing to bring against him, resigned his throne to the pope in 1213. To ensure his own personal safety John took the Cross in order that he might have all the privileges and immunities of a Crusader.⁴⁶ By this capitulation, and further concessions made to the pope, John was able to gain absolution, the goodwill of Innocent, and received his kingdom back as a fief of the papacy. The interdict, after a period of over six years, was finally removed in 1214. However John's tyrannical rule continued in England, and in 1215 the barons rose and compelled the king to sign the Magna Charta. Innocent, who was presented with a doctored version of the document highly prejudicial to the king's interests,⁴⁷ exclaimed; "Are the barons of

England endeavouring to drive from his throne a king who has taken the Cross, and who is under the protection of the Apostolic See? By St. Peter we cannot pass over this insult without punishing it".⁴⁸ The charter was condemned, and the rebellious barons were excommunicated, as was Louis of France when he attempted to come to their assistance. Innocent's consistent support of the highly unpopular John, support which continued until the death of both parties in 1216, may well be considered the starting point of England's fundamental distrust of the papacy.

The course of Innocent's relations with Philip Augustus, if not so far reaching as those with John, are equally interesting. After the death of his first wife, Philip had married Ingeborg of Denmark. Although the new queen was, by all reports, a very beautiful and intelligent woman, Philip, for some mysterious reason, took a sudden and extreme aversion to her the very day of her coronation, and compelled the French bishops to annul the marriage. Ingeborg appealed to the pope (Celestine III at the time) who somewhat tardily gave a decision against Philip. The king ignored the decree and after unsuccessful advances to numerous young damsels he finally married a lady of rather dubious virtue, Agnes of Meran. Innocent, who fell heir to the situation about this time, was in a much better position to do something about it than had been his aged, besieged predecessor. When an interdict

did not seem to have the desired effect, the pope threatened to pass individual sentence of excommunication on Philip. At this the king relented, put away Agnes, who died shortly afterward, and took back Ingeborg. It was, however, only a temporary reconciliation, and soon Philip was demanding a legal divorce.

Ingeborg was shut up again in the castle at Etampes while Philip tried for ten long years to get Innocent to grant him a divorce. The pope never weakened, and continued, now begging, now commanding the king to take back his wife, who was writing piteous letters to Rome describing her miserable plight. So long, of course, as Philip recognized Ingeborg as his legal wife Innocent could not employ more drastic measures. Finally in 1213, as suddenly as he had renounced her twenty years before, Philip received Ingeborg back - and apparently they lived happily ever after.

These three great European powers, the Empire, France and England, all felt the might of the powerful pope, as did Italy, Norway, Aragon, Leon, Hungary, Armenia and even the Eastern Empire. Truly it was the culmination of the Hildebrandine ideal; the world a fief of Rome, the Church the constitution of the world.⁴⁹ It was a giddy height; maker and breaker of kings and emperors, tribunal of Europe; the apex of the temporal power of the papacy, a pinnacle never before or since reached.

Honorious III, who followed Innocent, was a rather quiet,

retiring old man.⁵⁰ His one consuming interest was to promote a new crusade. Honorious mildly agreed⁵¹ to Frederick's request to hold the imperial title and the crown of Sicily concurrently provided he embarked on a holy war, established his son as king of Germany, and did not attempt to unite the empire and Sicily, in fact. Once back in his beloved native land, Frederick became so engrossed with the affairs of his kingdom that, although Damietta fell in 1221, he made no attempt to fulfil his vow to the pope. Honorious, charitable as ever, agreed to a postponement, and sought to interest Frederick in the affairs of Palestine by having him marry Iolanthe, heiress of John of Brienne, who, in right of his wife, bore the title, King of Jerusalem. Yet another delay occurred in 1225, but Frederick agreed to embark by August of 1227 on pain of excommunication. Before that time trouble had broken out in Lombardy, Frederick had interfered, and Honorious had lost some of his mildness. When the pope stood firm, the emperor, who had really not sufficient troops to maintain the commanding tone which he had assumed,⁵² was obliged to retire. Honorious adopted Innocent's high tribunal attitude and sat in judgement over the dispute, but unfortunately, died before he could enforce his decision. Gregory IX, who followed Honorious in the Chair of St. Peter, was a very strong minded old man, not inclined to give way to anyone. He thundered forth at Frederick and Lombards alike,

telling them to settle their disputes without delay and get off on the crusade immediately. Frederick did actually embark, but was gone only three days when he returned hastily, alleging sickness. Gregory retaliated with excommunication. Frederick, while still under the ban, departed again for the Holy Land where, in a very sensible fashion, he negotiated a treaty with the Infidel. Gregory, who wanted an unconditional surrender, was in such a rage that he proclaimed a crusade against the emperor. Frederick returned, repelled the papal forces and obliged the noisome pontiff to make peace (San Germano, June 1230). The two patched up their acquaintance, shed a tear or two, and were apparently great friends again.⁶³ There followed an uneasy interval of peace lasting nearly nine years. During the interval there was little actual cooperation between pope and emperor, but Gregory's passive acquiescence was largely responsible for the ease with which Frederick was able to put down the rebellion of his troublesome son, Henry, in Germany. It was this very success of the emperor in quelling the insurrections in Lombardy and Germany that started the trouble going again. The old papal fear of being hemmed in on all sides was aroused. Gregory made agreements with Venice and the Lombard cities and then, on a series of trumped up charges, proceeded to excommunicate Frederick. It was not very convincing. The polite rebuffs which Gregory received when he attempted to

offer the Imperial crown to various other European princes indicated that his peremptory treatment of Frederick was not generally well received. Each side appealed to Christendom to witness to the justice of its cause, but the princes, for the most part, remained discreetly aloof and the battle became a war between northern and southern Italy. Gregory's death in 1241 called a halt to the proceedings. The first choice of the cardinals, Celestine IV, lasted only a few weeks, and it was nearly two years before they picked his successor, Sinibaldo Fieschi, Innocent IV. Frederick, who had been trying every means to have a pope favorable to his view elected, proclaimed a day of joyful celebration when the decision was announced.⁵⁴ However, he had little cause for satisfaction. The cardinals could not have chosen anyone more completely opposed to the imperial pretensions than this clever Genoese jurist. The negotiations which had been started to end the war quickly broke down. Innocent, fearing the power of the emperor, escaped to Lyons in 1245 where he summoned a council, declared Frederick deposed, and absolved his subjects from their allegiance to him. Frederick, undaunted, replied: "I hold my crown of God alone; neither the Pope, the Council, nor the devil shall rend it from me".⁵⁵ But the papal declaration was not without effect; strife, chaos, anarchy and insurrection now ravaged Germany and Italy. Frederick, the most fascinating

and misunderstood of the Christian emperors, went out in a blaze of blood and gore, taking with him the greatness of the medieval empire.

On Frederick's death Innocent returned triumphant to Rome, and henceforth concentrated on exterminating the last remnants of the Hohenstaufen family. Not strong enough himself to expel Frederick's son Conrad from Sicily, he tried to get first Charles of Anjou and then Richard of Cornwall to do it for him, offering them the kingdom itself as a reward. Both Louis IX and Henry III declined the offer for their respective brothers, but it was the English king, for his second son, Edmund, who was finally induced to accept the task and the kingdom. The premature death of Conrad in 1251 left Conradin, a child of three, as the only legitimate descendent of Frederick II. Manfred, an illegitimate son of the emperor, and the most brilliant of his progeny, took over the regency. Innocent IV sensed the growing danger, and not being satisfied with the efforts of Henry III, he again offered Sicily to Charles of Anjou on condition that he take immediate action against Manfred. Innocent's successor, Alexander IV, was, like Honorious III, a kindly, rather timid soul, and he did not push the campaign against the Sicilian kingdom. Manfred was able, without interference, to ally himself with the Lombard cities, and in 1258 quietly to put off

Conradin with the Duchy of Swabia and have himself crowned king of Sicily.

In 1261, the year of Alexander's death, the papacy, by its fickle and vindictive politics of the previous twenty years, had lost all its friends save Louis IX. It is not surprising then that the next pope, Urban IV, should be a Frenchman; the first in nearly a century and a half. As would be expected, Urban definitely settled the Sicilian kingdom on Charles of Anjou, and assisted in the organization of a holy war against Manfred under the French prince. Clement IV, who followed Urban, was a Provençal - from Charles' own country - and he too, therefore, gave his wholehearted support to the Sicilian Crusade. Manfred was decisively defeated by Charles and killed at the Battle of Benevento early in 1266. The young Conradin, who came down from Germany in 1268 in response to the call for assistance against the French, was defeated at Tagliacozzo, captured and beheaded after a mock trial. Charles was now unquestioned master of Italy and sufficiently strong to enforce a vacancy of nearly three years in the papacy following the death of Clement in 1268. The successor finally appointed, Gregory X, was a crusader and reformer, and not inclined to be subservient to French aims. Since the death of Louis IX, however, the papacy had had no real friend, and if anything was to be accomplished it was necessary to find one to act as a counterpoise to

Charles. So far as Gregory was concerned, the empire was vacant. One of the two rival claimants, Richard of Cornwall, was dead, and he did not care to recognize the other, Alfonso of Castile. The only thing to do was to command an election.⁵⁶ Gregory was pleased when Rudolph of Hapsburg was chosen, though it is not known whether or not he suggested the candidate. The new king had none of the hereditary claims to Naples which had previously been a constant source of trouble between pope and emperor, but he was sufficiently strong to keep the power of Charles of Anjou in check. More important still, so far as Gregory was concerned, he was the type of man who could well lead a united Christendom on a Holy War. The whole of Gregory's policy was directed towards another crusade. To this end he sought friendly relations with the emperor at Constantinople, and even attempted to heal the schism between the eastern and western churches. His ultimate aim was to unite the whole of Christendom in one gigantic effort to drive the infidel from the Holy Land. Although Gregory did effect a temporary reconciliation between Greek and Latin churches at the Council of Lyons in 1274, the painstakingly wrought edifice quickly disintegrated after his death early in 1276. During the next fifteen months three popes, Innocent V, Hadrian V and John XXI occupied the chair of St. Peter in quick succession. Nicholas III, who succeeded in 1277, lasted only three years and left the sit-

uation little changed. "He built the Vatican, got from Rudolph the magnificent, empty cession, not only of the Papal States, but of the Italian Islands; showed little friendship to Charles of Anjou; filled the Sacred College with his kinsfolk; and for his avarice, nepotism, and Guelfic pretensions was seen by Dante burning in Hell."⁵⁷ Charles got a more malleable tool next time in the person of Martin IV, and was left unrestrained to tyrannize over Sicily. His misgovernment resulted in the revolt known as the "Sicilian Vespers", which brought in Pedro of Arragon (the husband of Manfred's daughter Constance) and thus gave rise to the long Angevin-Aragonese struggle in southern Italy.

Throughout the greater part of the time that the Hohenstaufen were being systematically extinguished in Sicily there was a saint sitting on the throne of France. The great desire of St. Louis was to lead another crusade, and he was continually urging Innocent IV and Frederick II to bury their differences and cooperate with him in this great enterprise. Saintly though Louis was, he was no weakling in his dealings with the papacy. He respected the spiritual authority of the clergy, but he was, nevertheless, quite conscious of the exact limits of their rights.⁵⁸ The famous "Pragmatic Sanction", which is practically the charter of independence of the Gallican Church, although it is attributed falsely to Louis,⁵⁹ was a document which he might have

been inclined to favor in early life. As well as limiting the rights of Rome in clerical elections, the edict expressly forbade the levy by the curia of taxes on the beneficed clergy.

"We will that no one may raise or collect in any manner exactions or assessments of money, which have been imposed by the court of Rome, by which our realm has been miserably impoverished, or which hereafter shall be imposed, unless the cause be reasonable, pious, most urgent, of inevitable necessity, and recognised by our express and spontaneous consent, and by that of the Church of our realm."⁶⁰

However, after his return from the crusades, which had proved rather unfortunate, Louis inclined more and more towards the papal authority.

The papal power, which had occupied such a distasteful position in England during the time of John and Innocent III, acted, on the death of the king, in the more agreeable capacity of liege lord of the young Henry III, and protector of the realm against the forces of Louis, the son of Philip Augustus. With the disintegration of the French peril shortly after the accession of the new King this beneficent role was soon dropped and the severe papal pecuniary exactions - Peter's Pence, the 1000 marks, the granting of benefices to foreigners, and the taxation of the clergy - bore down upon the kingdom. The popes, especially Innocent IV, viewed England as a practically inexhaustible gold mine and dug for

all they were worth. When Alexander IV, in 1258, demanded the repayment of sums which he claimed to have expended in an attempt to establish the king's son Edmund in Sicily the barons reached the limit of their endurance and obliged Henry, who had been the willing tool of papal policy, to agree to the Provisions of Oxford, which reduced him to a puppet managed by a council of nobles. The pope absolved Henry from his oath early in 1261^{b1} and called in St. Louis to arbitrate between king and barons. Louis's decision was for Henry (Treaty of Amiens, January 1265), and when the barons under de Montfort refused to comply they were excommunicated.^{b2} After the battle of Evesham, at which the nobles were decisively defeated, Henry became a much more efficient monarch, and the papacy went into the decline which followed Gregory X, with the total result that papal interference became decidedly less noticeable in England.

Following the death of Martin IV the papacy fell, for about a decade, on hard times. When the last of the popes during this period, Celestine V, a lowly hermit, "made the grand refusal", abdicated, and went back to his cave in the Apennines, the stage was set for the appearance of the last tragic figure in our great trio of popes. Of Boniface VIII it has been said that he came in like a fox, ruled like a lion, died like a dog.^{b3} One authority goes so far as to say: "Of all the Roman Pontiffs, Boniface has

left the darkest name for craft, arrogance, ambition, even for avarice and cruelty".⁶⁴ Recent scholarship has lightened the picture more than a little, at least so far as the pope's personal character is concerned, but he is not yet ready for canonization.

Boniface, a jurist well versed in canon law and the theory of papal supremacy, determined to resurrect the great power which Innocent III had wielded in the councils of Europe. Since the empire was little more than a shambles and offered little scope for his ambition, he turned his attention to France and England and peremptorily demanded the two warring countries to make peace. Not that the pope was of a particularly pacific turn of mind; rather he wished to stop what he considered was an offence against the church, for to carry on their wars both Edward I and Philip the Fair had subjected the clergy of their respective realms to severe taxation. To support his demand Boniface published the bull "Clericis Laicos", giving warning that on no pretext whatsoever, on pain of anathema, were taxes to be levied on the property of the church without the permission of the Holy See. After a moment's hesitation Edward submitted to the decree, thinking it wise, in case he should encounter some mishap on the continent, not to leave his son in the hands of a hostile clergy. It is noteworthy, however, that the general stand taken by the English

clergy was not that of ecclesiastical immunity, but rather that the subject could not be taxed without his own consent.^b

Philip was more uncompromising in his attitude. If he were not to be permitted to tax the French clergy, than neither would the pope. No bullion, precious stones, arms or any article of current value might be exported from France without the king's permission. Boniface replied with another bull, 'Ineffabilis amor', stating even more forcibly the rights and liberties of the church. The document was a masterpiece of irony. As one historian expresses it; "it distils gall; it rends in its caresses"^b. "The Church", reads the decree, "by the ineffable love of her spouse, Christ, has received the dowry of many precious gifts, especially that great gift of liberty. Who shall presume against God and the Lord to infringe her liberty, and not be beaten down by the hammer of supreme power to dust and ashes? My son! turn not away thine ears from the voice of thy father; his parental language flows from the tenderness of his heart, though with some of the bitterness of past injuries."^b Boniface went on to present Philip with a graphic picture of how he had spent sleepless nights, tossing in his bed, worrying about the spiritual welfare of the king of France, and this was all the thanks he got. He concluded on a more solemn note, cautioning Philip not to add the Church to the list of his enemies, which already included the kings of Germany,

England, and Spain. The king sent back an answer, cool, deliberate, nicely phrased, and not without a note of sarcasm: "What sane men would forbid, under the sentence of anathema, that the clergy, crammed, fattened, swollen by the devotion of Princes should assist the same Princes by aids and subsidies against the persecution of their foes"⁶². Boniface, who was in any case involved with the Colonnas in Rome, could do nothing but retire before such a brilliantly conducted assault. In fact so acute did the situation in Italy become that the pope thought it wise to send love tokens to Philip by way of suspending the 'Clericis Laicos' and canonizing Louis IX. But by 1297 both Philip and Edward had exhausted their resources in another war and Boniface had the chance to act as arbitrator. The pope assumed his most exalted tone, issued his decision in the form of a bull, although he had been asked to act as a private individual, and the punishment for infringement of its provisions was an interdict. England was to receive Guienne, the peace was to be cemented by a couple of royal marriages, and the papacy was to administer the disputed lands until the final peace was concluded. At the same time, on the grounds that Scotland was a fief of Rome,⁶³ Boniface commanded Edward I to cease harassing his northern neighbor.

All politics was temporarily submerged in the general crusade of Christendom to Rome to mark the centenary jubilee in

1300. The tremendous concentration of reverence and devotion which centered around the throne of St. Peter during that year marks the zenith of the power and fame of Boniface VIII. Henceforth the decline was rapid. Edward, at the Lincoln Parliament, told Boniface that the papacy had nothing to do with Scotland. The pope forgot the Scots but did not thereby gain Edward's friendship. He alienated Italy by calling in Charles of Valois to uphold the integrity of the Patrimony. He lost the support of the Franciscans by appropriating a large portion of their funds. In short, he had not a single friend to help him when his quarrel with the French king broke out again. The incident which renewed the strife was trivial enough - Philip had arrested an impudent papal envoy - but it produced an immediate reaction at Rome. Boniface belched forth a batch of papal bulls, restored 'Clericis Laicos' and commanded the French clergy to appear at Rome to pass judgment on their king. Philip sought his support in the nation and called a meeting of the States General. Boniface attempted to overawe Philip with the famous bull 'Unam sanctam' - "By the words of the Gospel we are taught that the two swords, namely the spiritual authority and the temporal, are in the power of the church the former is to be used by the church, the latter for the church but at the command and permission of the priest". Philip was undaunted, he prepared for a fight. So did

Boniface. To bolster his shaky position, the pope gave tardy recognition to Albert of Austria as German Emperor, and Frederick of Arragon as King of Trinacria. Feeling himself somewhat more secure, Boniface, in the noted Twelve Articles, demanded complete submision of Philip on pain of excommunication. Philip again appealed to the States General and brought charges of heresy, murder and sexual vice against the pope. Boniface, who had retired for the summer to Anagni, proclaimed his innocence, and sarcastically observed: "We were sound Catholics when Philip received favors from us".⁷¹ With exalted and pompous phrase the excommunication of Philip was proclaimed. But Boniface had neglected, at his summer retreat, to make adequate provision for his own protection against the partisans of the French king in the neighborhood. A band of cut-throats headed by Philip's envoys and the pope's old enemies, the Colonnas, descended on the defenceless pontiff. Boniface, a tribute to his honor if not his common sense, refused to grant the concessions demanded by the rebels. For three days the brigands heaped indignities upon the aged pontiff, who was often in danger during the period of losing his life. Although Boniface was eventually rescued by the Orsini and taken back to Rome, his proud spirit was broken once and for all. He died soon after, not in a fit of madness, gnashing his teeth, gnawing the flesh off his hands and dashing

his brains out against the wall, as some chroniclers have affirmed,⁷² but quietly, from weariness and exhaustion.⁷³

With the death of Boniface VIII the temporal power of the papacy ceases to be a primary factor in European politics. It was not a matter of chance that such was the case, but an inevitable result of the development which Europe was undergoing at the time. The general trend of papal politics from Gregory VII to Boniface VIII, in a detailed account, is obscured by the vicissitudes which the personalities of the various popes created. Casting this aside, it will be seen that until the time of Innocent III the secular power of the popes generally increased. From that time on the power is waning. With the collapse of the empire the papacy was deprived of the most logical medium through which it could exercise its temporal authority. The force of nationalism, which had been so instrumental in the destruction of the empire, ran equally counter to the unifying force of the church and the papacy. The disintegration of feudalism in the secular field tended to weaken the hierarchical setup in the church. Boniface VIII, unaware of these fundamental changes, attempted to reassert the authority which Innocent III had wielded when the temporal power of the papacy had had a really solid foundation. The whole facade collapsed; but it was only a facade, the solid substance behind it had actually evaporated fifty years before with the death of Frederick II.

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Chapter II

The Development of the Ecclesiastical

Supremacy of the Papacy

Less striking than the secular authority of the papacy, but no less important, was the supremacy to which the Roman pontiffs attained within the Latin Christian Church. Here too, the papal dominion was built up painstakingly and gradually, and the apogee of the ecclesiastical power of the pope, although it came somewhat later, was hardly less magnificent than had been the secular. Indeed, the pre-eminence of the Holy See proved much more lasting in the church than in European politics, a fact which may in large part be attributed to the high degree of centralization and the well defined organization which the papacy had established within the church. The evils of the regime have been more apparent than its virtues, as is nearly always the case with institutions which have failed at some time or another. To some extent, possibly, the papacy did push itself down under the great weight of ecclesiastical authority which it had centralized in its own hands. Yet there were other factors equally potent in bringing about the decline of the medieval hierarchy over which the popes could not conceivably have exercised control. That the policy of excessive centralization carries with it many evils goes without saying; that it may occasionally have some merit will be evident from time to time in the succeeding pages.

The beginnings of the ecclesiastical authority of the papacy date back to the early centuries of the Christian Era. A happy combination of circumstances, happy so far as the Bishop of Rome was concerned, early lent pre-eminence to his see. Its location at the capital of the empire, at once one of the largest and wealthiest cities in the world, together with the remoteness of Rome from the stuffy and heretical atmosphere at the eastern end of the Mediterranean where Antioch, Jerusalem and Alexandria disputed the authority of Constantinople, all helped to give the Roman See great authority in western Europe. Then, of course, according to tradition, had not the church at Rome been founded by Peter? and had not Peter been a leader among the apostles? Also, to further ensure the fortunes of the holy office at this embryonic stage in its development, there came along a distinguished succession of incumbents. Particular emphasis was placed on the judicial powers of the Roman bishops. They encouraged the submission of all sorts of ecclesiastical disputes to them for arbitration, and even St. Augustine is reputed to have accepted Rome's authority in this regard.²

Then again, the disintegration of the western Roman Empire left the bishop of Rome as the strongest man in Italy, and the leadership which he offered in meeting the onrushing

Vandals in the fifth century did much to enhance the prestige of the Chair of St. Peter. By the time of Gregory the Great (590 - 604) the bishop had acquired considerable temporal power, and had become the veritable governor of Rome. As well as strengthening his hold on the churches of Italy, Gaul and Spain, Gregory took up missionary activity; it was he who was largely instrumental in bringing about the conversion of the Anglo-Saxons. Even before the time of Gregory the bishops at Rome had begun to style themselves "Supreme Pontiff".³ By the beginning of the seventh century the papacy was obviously a firmly established institution.

As with so many lucrative and desirable offices for which there is some degree of competition, corruption was not slow in creeping into the Holy See. There is no need to trace all the vicissitudes of the papal dignity from the sixth to the eleventh century. Sometimes, as during the sixth and seventh centuries, when the papal election was ratified by the emperor, and during the Carolingian Age, respectability characterized the office, but on other occasions, especially from the early part of the tenth century until the middle of the eleventh, the papacy was little more than a toy tossed about between the German Emperor and the Roman nobility. By the time of the advent of Hildebrand in 1057 the pontifical elections had become a mean-

ingless form.⁴ The reformers viewed as a scandalous state of affairs this dependence of the papacy upon the secular powers and adopted as one of the cardinal features of their program the restoration and development of the integrity of the Holy See. It was hoped that a rejuvenated and powerful papacy would act as one of the principle agents in the accomplishment of the more general reforms which were so necessary throughout the whole of the church.

The key to the reform of the papal office itself rested, naturally enough, with the matter of elections. Here, of course, the first problem with which Hildebrand and his party had to deal was the elimination of lay interference. In the early centuries the Bishop of Rome had been elected by the clergy and laity of the Roman Church, the decision being later submitted to the Emperor for ratification.⁵ During the tenth century the clergy seemed to lose their voice in the appointment, the element of election disappeared, and it became a straight battle between the Roman nobility and the German emperor. Both had very practical reasons for their interest in the papal office. The pope as the lord and governor of Rome was naturally important to the nobility of the city. But in his position as nominal head of the church he also possessed certain powers (although they were rather vague at this time) over the great lords spiritual,

whom the emperor, for reasons of security and organization, wished solely responsible to him. And, of course, the pope himself was a powerful secular prince. Unfortunately, it seemed impossible to find one pope who could satisfy both parties, with the result that during the greater part of the tenth and the early part of the eleventh centuries there were two opposing popes, one, nationalistic, appointed by the Roman nobility, and the other, an imperial protegee. Following the scandal arising from the debaucheries of Benedict IX, and the simultaneous existence of three popes all with their own private armies, the Romans were happy enough to submit to imperial domination. But other forces were not. In 1056 the great emperor Henry III died; his successor was a child of six.⁶ The new power, that of reform, which had taken hold of the papal council, determined to assert itself. Hildebrand, who was the embodiment of the purging spirit, considered the time auspicious for a reinstitution of the papal election in such a manner that the principal right of nomination and selection should rest with the cardinals, particularly the cardinal-bishops (Ostia, Portus, S. Rufina or Silva Candida, Albano, Sabina, Tusculum and Praeneste),¹ thus relegating the Roman nobility and the emperor to roles of passive recorders. The plan had its first application with the election in 1057 of Stephen IX;² and it was officially

formulated in the famous election decree of Nicholas II, promulgated in April 1059. Unfortunately, two somewhat conflicting versions of this document came into existence; one was tinted with imperial sentiments, the other highlighted the interests of the church. One of the documents was apparently a forgery undertaken by the party which was displeased with the original form of the decree. Which was which has been a matter exciting some controversy, although opinion now leans towards the version favouring ecclesiastical supremacy as the original.⁹ The decree provided that "on the death of a pontiff of the universal Roman church, first, the cardinal bishops, with the most diligent consideration, shall elect a successor; then they shall call in the other cardinal clergy (to ratify their choice), and finally the rest of the clergy and the people shall express their consent to the new election In the papal elections due honor and reverence shall be shown our beloved son, Henry, king and emperor elect"¹⁰. It is noteworthy that the implication was that the cardinal clergy (other than the bishops) the emperor, the lower clergy, and the people, should merely register consent to the decision of the cardinal bishops. This small group, however, was unable to retain permanently the exalted position which the decree conferred upon it; and, indeed, it is questionable whether or not they ever did exercise

effectively this vast authority.¹¹ The rest of the cardinal clergy, after a bitter struggle, managed to obtain a voice, and following the election of Paschal II in 1099, the appointment of a pope became the common concern of all members of the cardinal college.¹² The college, during the later middle ages, consisted of three distinct groups, the bishops, the priests, and the deacons. The evolution of the institution is of considerable interest. At first the term 'cardinal', as applied to clerics, had no particular implication of 'principalis', excellent, or superior, but merely referred to any priest permanently attached to a church. Later this was narrowed to include only priests belonging to a central or episcopal church, hence the term 'cardo' (Latin for hinge, here meaning central). The cardinals became particularly associated with the churches of the Bishop of Rome and rose in importance with the pope. 'Cardinal priest' was a title originally given to prominent clerics in many important churches. (Constantinople, Milan, Ravenna, Naples, Sens, Trier, Magdeburg, and Cologne). Some time later it came to be applied only to the priests of the twenty-five to twenty-eight 'tituli' parishes belonging to the church of the Bishop of Rome. The cardinal deacons (originally seven in number but later increased to eighteen) were primarily responsible for the care of the poor of Rome. The pope, as his

office rose in importance, felt the need of more competent counsel than could be offered by the cardinal priests and deacons; consequently he called in the bishops of neighboring sees. The number of these cardinal bishops has nearly always been seven, but the sees from which they have been drawn varied from time to time.¹³

With the election decree of Nicholas II the reformers took up a rather advanced stand, and one which they could not expect to maintain unless the papacy were able to strengthen its position as a secular power considerably. Of this the papal councillors were well aware. It was no accident that in August of the same year as his election Nicholas invested Robert Guiscard with the duchies of Apulia, Calabria and Sicily in¹⁴ return for promises of aid, and defence of the integrity of the Holy See.¹⁵ Even so, the system was not yet firmly established. When Alexander II was elected according to the new principles in 1061, a schism ensued. In view of this, Hildebrand decided, at the time of his own election to the papal office in 1073, to proceed with caution, and refused to be consecrated until his election had been ratified by Henry IV.¹⁶ The apparent wavering of Hildebrand in this regard is to be taken as a sign of prudence rather than weakness. The goal was always kept clearly in mind, and so far as imperial interference in papal elections

was concerned, had been practically attained. Henceforth, although emperors fought with popes and even established anti-popes, they made no definite attempt to reassert the old authority claimed by the Ottos and Henry III in the actual process of choosing a pope. Circumstances helped the reformers' cause. At the death of Gregory VII Henry IV was in disfavor with the majority of the clerics; it was hardly the time for him to reassert the imperial authority. Henry V, when he came to the throne, was no more popular with the church than his father had been. Thus, generally speaking, the immediate successors of Gregory were elected without direct interference; and by the time of the Concordat of Worms the emperor had apparently become resigned to his new position, for in that general settlement of the papal-imperial differences no mention is made of any rights of the emperor in regard to the pontifical elections. The direct influence of the Roman nobility was also dying out, although that force continued to make itself felt more subtly through the cardinals, who were often themselves members of one or another of the great families.

If, after the period of Gregory VII, papal elections were substantially independent of direct lay interference, they were still far from the ideal state envisaged and aimed at by the reformers. The cardinals proved to be scarcely less trouble-

some in the running of the election machinery than had been the emperor and the Roman nobles put together. Obviously an important task yet remained; the reform of the cardinal electors themselves. Opposing factions of the cardinals established two popes following the death of Calixtus II in 1130. A schism of more formidable proportions arose when the cardinals could not agree on a successor to that redoubtable Englishman, Adrian IV. Alexander III, when he was finally established on the throne of St. Peter in 1165 following this episode, determined to prevent, if possible, a recurrence of the situation which had threatened him at the beginning of his reign, and in 1179 the Lateran Council agreed that in future a candidate must, in order to become pope, be chosen by at least two thirds of the cardinal electors.¹⁷ Even this measure, however, failed to provide sufficient oil to permit the machinery of elections to run with complete smoothness. Although there were no more anti-popes until the fourteenth century, the elections were still rather rough affairs. Periods of considerable delay followed the death of a pope before a successor was appointed. There was an interregnum of over a year and a half after the death of Celestine IV in 1241 before his successor, Innocent IV, was finally appointed. Shorter gaps followed the deaths of Alexander IV in 1261 and Urban IV in 1264. It was fully three

years after the death of Clement IV in 1268 before the next pope, Gregory X, ascended the papal throne. Gregory X sought to remedy this scandalous state of affairs by instituting a strict code of laws governing the Conclave. The cardinals were to assemble in a room of the deceased pope's palace within ten days of his death. There they were to be locked up, and denied any contacts with the outside world until they reached a decision. The only opening to the room was to be a small panel for purposes of passing in food, but not large enough to admit a man. If the cardinals had reached no decision regarding who was to be the new pope within three days, their diet was to be cut to one dish at dinner and the same at supper. At the end of another five days, if the matter was still undecided, they were restricted to wine, bread and water.¹⁷ As Milman aptly puts it, "they were to be starved into unanimity"; "a curious means", as Gregorovius observes, "of attracting the Holy Spirit to the aid of the dissentient and procrastinating cardinals".²⁰ The enforcement of the regulations was entrusted to the municipal officials of the city in which the conclave was held. An interdict was the penalty should they shirk from their bounden duty.

Unfortunately, Gregory X's successor, Innocent V, was so inconsiderate as to die within the environs of Rome, and the conclave was thus at the tender mercies of Charles of Anjou.

He carried out the provisions of Gregory with considerable rigor, at least so the Cardinals not agreeable to Charles' candidate for the papacy believed.²¹ It is not surprising then that when, after the momentary pontificate of Hadrian V, the Portugese John XXI ascended the papal throne, the evils of the Conclave regulations should overweigh its virtues in the minds of the members of the Sacred College, and they made haste to annul the whole idea. Although Celestine V attempted to restore Gregory X's constitution in 1294 it was not wholeheartedly re-adopted until the Avignon period, and then it was only after Clement VI had tempered it by suppressing the articles demanding living in common and reduction of the diet after the eighth day that the regulations were generally accepted and became permanent.²²

In spite of the vicissitudes of fortune it is clear that, generally speaking, from the decree of 1059 through to the fourteenth century the papal office became more secure and rose in dignity and power. Such a development, of course, was essential if, as the reformers hoped, the papacy was to take the leadership in the reform movement within the church, and especially if the hierarchic principle was to have any real value when applied to the ecclesiastical organization. The idea of applying the system of a feudal hierarchy, already so well developed in the secular empire, to the church, found its earliest forceful expression with

Hildebrand and the Reform Party. There were, however, obvious reasons why the lords spiritual balked at the application of such a system to their domain. The bishops, contrary to the lay princes, had little to gain and much to lose by acknowledging an earthly superior. They were comparatively secure, and would lose some of their authority and much of their prestige, to say nothing of their independence, if it were generally understood that they held their office not directly from God, but rather, indirectly through the pope. Furthermore, most of the bishops had no particular desire to see efficiency brought to the ecclesiastical organization; it might prove too revealing.

The reformers, acting through the papacy, which they had infused with their own spirit, concentrated their efforts on eliminating simony and clerical marriage from the church. Lay investiture, which was closely associated with simony, offered another distressing problem. How could the church become a powerful, unified body if its various members owed allegiance, as great landholders, to various secular princes entirely independent of ecclesiastical control? Obviously it was just as important as in papal elections that those of the bishops be free from lay interference. Even more objectionable than the lay control in elections was the traffic in ecclesiastical offices which had reached considerable proportions in various parts of Europe,

especially France. Celibacy, too, aside from the moral implications, had an important bearing on the firm establishment of the hierarchy. Clerics who married and had families, wanted, not unnaturally, to provide for their offspring. But unfortunately, they generally did so at the expense of the church, either by alienating church property, or, what was even more alarming, attempting to create of their benefice an hereditary office. This would have had a tendency to secularize the church, and, aside from the detrimental effects from the religious standpoint, would have made the bishops and other clergy more dependent on the emperor and the lay princes. The papacy, taking up the cudgel against these various abuses, wielded it with such telling force that not only were the evils in large part abated, but the pope himself emerged as the unquestioned champion and head of the church in fact as well as theory.

Gregory VII was responsible, more than any other, for clearly establishing the hierarchical principle within the church.²³ The 'Dictatus Papae' which after much discussion has finally been established as belonging to Gregory VII's register,²⁴ is the first document which states precisely and forcefully the idea of centralization of ecclesiastical authority. "The Roman Bishop alone is by right called universal. His legate takes precedence of all bishops in council, and can issue a sentence of deposition against

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them. The Pope cannot be deposed in his own absence. He alone can make new laws, found new churches, create abbeys, divide or unite bishoprics. He alone may use the imperial insignia. His feet only are kissed by princes. He may depose emperors. He may translate and consecrate bishops. No book may be held canonical without his authority. He only can revise a papal sentence. He can be judged by no one. All greater causes are to be referred to Rome, and no one may condemn an appellant to his judgment sent. The Roman Church has never erred and never will err. When canonically consecrated the Roman bishop possesses the sanctity of St. Peter. He is not catholic who does not agree with the Roman Church." ²⁵ This, of course, was a very presumptuous statement of the papal claims and Gregory VII and his immediate successors were able to fulfil it only to a very slight degree. Yet by the close of the twelfth century the Dictatus was no longer theory but fact. The Roman Pontiff had, to a great extent, by the time of Innocent III, attained to the exalted position of ecclesiastical authority which Gregory VII had claimed. It was reform, both of the monasteries and the secular clergy, undertaken with such vigour by the popes, which was primarily responsible for this great growth in power.

The papacy, until the middle of the eleventh century, was too weak to undertake unaided the purging and reorganization of the

clergy. However, a fortunate combination of circumstances early in his pontificate enabled Gregory VII to obtain at least the passive acquiescence and occasionally the active support of the young emperor Henry IV in the matter of church reform. Clerical celibacy was the problem dearest to Gregory's heart, and it was probably here that he achieved his most marked degree of success, although the measures which he enacted provoked strong opposition, especially amongst the German clergy. Even when involved in his perilous struggle with Henry IV we find Gregory laboring with care and determination over this particular aspect of reform.²⁶ The vigour with which Gregory prosecuted his idea is amazing. He trounced the bishops soundly if they refused to enforce the decrees against marriage. The case of Otho of Constance is a typical example. When, after two warnings from Rome, this prelate still refused to enforce the celibacy decrees, he was summoned to appear before the Lenten Synod of 1075. Failing to comply with the request, he was excommunicated and deprived of his episcopal functions, and, when even that mark of censure was ignored, Gregory wrote a letter to the recalcitrant bishop's flock absolving them from further allegiance to him.²⁷ This last action, permitting the laity to withdraw their allegiance from prelates and priests who disobeyed the ordinances of the Holy See, was particularly obnoxious to the ecclesiastics.²⁸ The sec-

ular princes were overjoyed at the opportunity to bear down on a class which had before proved beyond their jurisdiction. Lea gives a lively and vivid picture of the horrors that accompanied the general purge of married clergy.²⁹ One is rather in doubt as to whether the cure was worse than the ill. Gregory's ambition in this regard, while not completely accomplished, was well on the way towards fulfilment. Popular opinion soon came to regard clerical marriage as a heresy and a scandal.³⁰ Even Henry, the confirmed enemy of Gregory and all his principles, could not continue to support such an unpopular practice, and at the Diet of Mainz (1085), just as Gregory lay dying in defeat and exile at Salerno, the princes of the empire formally prohibited marriage of the clergy.

Though theoretically established, celibacy amongst the clerics proved more difficult to put into practice. The comparatively mild measures of Gregory VII proved utterly ineffective in enforcing his decrees against clerical marriage. His successors were obliged to take more extreme action. In 1089 Urban II published, at the Council of Amalfi, a decree which, in addition to the usual penalties imposed by Gregory VII, reduced the unfortunate women involved in the discountenanced relationships to slavery. The measure was entirely unjust and cruel, and apparently even Urban wished, a few years later, to forget that he

had initiated it.³¹ Calixtus II met with a little more success, and the provisions against clerical marriage which he enacted at the Council of Rheims in 1119 have been said to be the first to have had any serious effect upon the Transalpine Churches. Even so the actual accomplishment was negligible. A bold provision was introduced at the first general council of the West summoned in 1123 following the Concordat of Worms. In addition to the penalties already enacted, married clergy were to be required to do penance. No longer was the cleric permitted to choose between wife and altar. By thus declaring the precedence of a religious vow over the sacrament of marriage Calixtus had finally completed the divorce between clergy and laity. The priestly character was indelible.³² Innocent II, at the Second Lateran Council (1139), reinforced the canon by decreeing that a union contracted in opposition to the ordinance of the church was not a marriage. But the struggle to apply the accepted doctrine continued. More and more, however, the questions arising with regard to clerical marriage were being reserved for decision by the Roman Curia, and the whole problem was being centralized under the immediate control of the pope. By the time of the fourth Lateran Council (1215) so high stood the prestige of the church and papacy that its decrees would naturally have great force. It is noteworthy that that council's regulations regard-

ing clerical marriage were moderate, adopting most of the previous legislation, omitting the most extreme measures, adding practically nothing new. Henceforth, although the morals of the clergy were sufficiently depraved, and although the medieval church was never able to enforce complete celibacy amongst the clergy, there are to be found very few traces of marriage in holy orders.³³ The efforts of the papacy to stamp out the practice of clerics keeping concubines became weaker, interestingly enough, as the temporal power and secular influence of the Holy See declined. It would appear, indeed, that the vice was actually connived at, for an examination of the Formulary of the Papal Penitentiary during the latter part of the thirteenth century shows numerous instances of absolution being granted to clerics keeping concubines, and no formula has yet been found which denied it.³⁴

The problems of simony and lay investiture form, as well as an important element of the controversy of the papacy with the empire, one of the principle threads in the program of church reorganization. The investiture question resolved itself down to the matter of elections. The success in eliminating lay influence from the episcopal elections was not nearly so marked as had been the case with those of the papacy, indeed it was a full century after the time of Gregory VII before the new

conception of canonical election was generally understood and accepted.³⁵ But Gregory prosecuted his ideas with vigor. In 1080 it was decreed: "If any one receives a bishopric or an abbey at the hands of a layman, he is by no means to be reckoned in the number of bishops and abbots. We declare him, furthermore, to be excluded from the Church The same punishment will overtake any emperor, king, duke, marquis, count, any lay dignitary or any person who permits the investiture of a bishopric to be conferred by him".³⁶ Gregory's legates carried out the decrees with gusto, and on more than one occasion Hugh of Die in France actually deposed bishops who had accepted investiture at the hands of the king.³⁷ It was Gregory's aim not so much to free the episcopal elections from all interference as to transfer the power of such interference from the lay authorities to the apostolic see.³⁸ Gregory's successors, Victor III, Urban II, Pascal II all continued the reform of the episcopate. Urban, in addition to further legislation regarding lay-investiture, prohibited promotions 'per saltum', making it necessary in order to reach the higher orders, to go through the lower ones first.³⁹ The hierarchy of the church was thereby greatly strengthened and the whole structure put on a more solid and rational basis.

The problem of lay-investiture and the right of the princes to interfere in episcopal elections, was settled tem-

porarily by a series of compromises. The agreement with England was formally embodied in the London Concordat of 1107, and that with the Empire in the Concordat of Worms. A satisfactory arrangement with France had been reached during the last decade of the eleventh century. All agreements gave some cognizance to the secular character of clerical property, but in the matter of elections the independence of the clergy was in large measure achieved.⁴⁰ However, the nature of the election itself had undergone, and was to undergo during the twelfth century, a startling transformation. Even as had been the case with the Bishop of Rome, the ancient right of the people to a voice in the election was smothered. They were permitted to do no more than approve the choice of the clergy and consequently they soon lost interest in the matter.⁴¹ By similar tactics the influence of the lower clergy was minimized, and the election, by the second half of the twelfth century, had become the reserve of the chapter alone.⁴²

Although in theory the elections were independent of outside interference, nevertheless, in fact, the prince, especially in England, had only to suggest his own candidate and the electors would seldom dare to choose anyone else. In Germany, according to the Concordat of Worms, the election was to be held in the presence of the prince, who naturally, therefore, exercised considerable influence. French chapters enjoyed a greater measure

of independence,⁴³ but even they had to receive authorization from the king before holding an election. It should be noted that no effort had been made to remove smaller churches and abbeys from direct lay control. Private persons long continued to possess churches and monasteries, and made their own appointments to offices in them.

The popes, after Gregory VII, had to be content with a rather minor role in episcopal elections. But with Innocent III began the notorious system whereby the Roman pontiff reserved the right to appoint to many of the most important benefices. Although Innocent held a mock election at the Lateran, Stephen Langton was in fact appointed by the pope. It was a fateful precedent, and one from which many abuses - reservations, provisions, dispensations, annates, commendams, pluralities - were to arise. Hadrian IV sowed the seed when he began 'recommending' spiritual persons to the bishops for preferment. Alexander III sent officers along to give added weight to his wishes. He also developed the practice "that when a prelate or high dignitary died at Rome, the pope and the Roman Court in their abundant charity would send a successor from Rome for the consolation of the widowed Church".⁴⁴ Innocent III was the first to assert the plenary power of the pontiff to dispose of all benefices 'for the advantage of such persons as should have deserved well

of the See of Rome'.⁴⁶ The system was abused in many parts of Europe, especially England, where by the middle of the thirteenth century several benefices were held by absentee Italian prelates. Naturally the repercussions on the diocese, the subordinate clergy, the church buildings, and the people, were anything but desirable. So strong was the opposition which the practice provoked that Innocent IV was obliged to relax it somewhat. Clement IV restored to the Holy See the right to nominate to benefices of which the incumbent died in Rome. Boniface VIII extended this to include those dying within two days' journey of the Curia.⁴⁶ During the Avignon residence provisions became a wanton and arbitrary authority. John XXII not only extended reservations to whole dioceses but claimed the right to appoint to all benefices vacated by promotions through the grace of the Roman See.⁴⁷ By the fourteenth century the traffic in ecclesiastical offices conducted for pure monetary gain by the papacy was much worse than had ever been the case when the lay lords controlled appointments.

The very vigor with which the papacy followed up its ideas about the freeing of the church from lay interference was one of the most important ways in which it gave practical expression to its claims to sovereignty. Giving active leadership to so worthy a cause while the other bishops were conspicuous only for their apathy, was unquestionably one of the best ways

to demonstrate to the church and all the world that the papacy was in actual fact, as well as in its own estimation, the head of the ecclesiastical organization. However, church reform was not the only way in which the papacy advanced its claims to superiority. The practice of reserving to the Holy See absolution for certain grave transgressions, such as sacrilege, incest, sodomy, murder of a cleric, falsification of papal bulls etc., became reasonably common during the twelfth century and was established as a right during the thirteenth.⁴⁸ As early as the time of Alexander III the process of canonization was reserved exclusively for the papacy, and Innocent III, at the Lateran Council of 1215, declared that the determination of authenticity of relics was the prerogative of the pope.⁴⁹ Dispensations and the right to summon an oecumenical council were likewise reserved to the Holy See. The doctrine of papal infallibility was not slow to arise, and found expression, implicit at least, in the decrees of the Council of Lyons (1274), and the writings of Aquinas. The great increase of appeals to Rome on spiritual matters, as the prestige of the curia rose, added further to the real power of the pope. Then, of course, the development (which has already been traced) of the practice of papal provisions greatly enhanced the authority of the Roman pontiff.

The centralizing tendency of the papacy is clearly

brought out by the development of relations between the pope and the metropolitans and bishops. By the twelfth century the voyage of a bishop to Rome following his consecration had become an inflexible rule. Likewise, before assuming their duties, the archbishops had to be confirmed in their office by the pope and granted the pallium;⁵⁰ Gregory IX actually demanded an oath of fidelity from them.⁵¹ Of particular importance was the decadence of the archbishop, whose powers of regulating elections, administering canon law, and confirming elections of bishops underneath him, gradually assumed the status of authority delegated to him by the pope, who now considered that he was in himself universal bishop, and the others merely his representatives.⁵² Further additions to the system of papal control were the institution of legates and the attempted restoration of primates. Legates, who were the direct papal representatives in various parts of Europe, proved to be very powerful instruments in the centralization of power within the church. They were granted extensive jurisdiction by the pope, although unfortunately they did not always employ the power thus entrusted to them in the most tactful manner. On more than one occasion, especially during the pontificates of Gregory VII and Alexander IV, the popes themselves had to take their legates to task and reprimand them for an excess of zeal in the execution of their office.

Gregory VII attempted, in addition to establishing legates, to resurrect the position of primate as a further development to the hierarchic system. Several appointments were made, including that of the archbishop of Lyon as primate over the provinces of Sens, Tours and Rouen; but the bishops, who only grudgingly would acknowledge the authority of a legate, refused to concede any rights to a primate and the office soon became purely honorary.⁵³

It is not to be wondered that, with the ever-growing importance of the papacy, and the great extension of its influence and control, it was necessary for the pope to have a competent administrative body. The central government, or curia, was generally more concerned with church affairs than secular, and hence it continued to develop after the temporal power of the popes had collapsed. Indeed the curia probably reached its apogee during the period of the 'Babylonian Captivity'. For the sake of simplicity it may be found profitable to consider the various departments of the central administration independent of one another.

The Chancery, the secretarial division of the papal government, originated in the early centuries when the pope first became the temporal ruler of Rome. It consisted of the college of notaries attached to the regions of the city, and was con-⁵⁴

cerned exclusively with the writing, dating and despatch of papal documents. As early as the eighth century the pope's librarian appeared as head of the Chancery, although he did not adopt the title of Chancellor until the eleventh century.⁵⁵ The office was for some time held by the Archbishops of Cologne during the early eleventh century, but the convention was broken in 1050⁵⁶ with the appointment of Humbert, Cardinal-bishop of Silva Candida, to the post. Following the death of Celestine II in 1144 the offices of Librarian and Chancellor became separate. During the twelfth century when, for one reason or another, the Chancellor might be absent from the papal court for considerable periods, a vice-chancellor was appointed to take his place. Gradually the vice-chancellor rose to a commanding position; prolonged vacancies were permitted between the death of one chancellor and the appointment of another, and, following the accession of Honorius III in 1216, no Chancellor was ever again appointed. Henceforth the vice-chancellor was head of the papal chancery. The office was no longer filled by a cardinal-bishop, nor, as a general rule, any other member of the cardinal clergy; the incumbent was usually chosen from the lower ranks and the main qualification was ability. By the end of the thirteenth century, however, it became customary to create the vice-chancellor a cardinal soon after his appointment. The elimination

of the office of chancellor is indicative of the manner in which the pope was bringing the department under his immediate control.⁵⁷

By the fourteenth century the volume of business had so increased that the chancery had to be subdivided into seven departments in order that the work might be handled efficiently. The 'bureau of requests' handled the numerous petitions and queries that came to the pope for settlement, and referred the problems to the proper authorities. The 'examination bureau', as its name would suggest, ascertained the abilities of applicants for various posts which the papacy had in its power to award. Yet another, the department of the 'minuta' or 'nota', drafted out the general tenor of outgoing papal correspondence. The work of this group was then sent to another office, that of the 'grossa', or 'littera grossata', where the note was recast into the set formulas in which papal bulls were always issued. The 'correctoria' checked the work of the 'grossa', compared it with the 'nota' and if they found too many errors cut off the salary of the offending clerks.⁵⁸ The precise form, and the evolution of the style of the bulls has been the subject of considerable study by students of diplomatic; fairly detailed accounts may be found in Giry and Poole. From the correctoria the bulls went to be sealed, a process which, apparently intentionally, was given to brothers who didn't know how to read, write or speak Latin.⁵⁹ Finally the

documents passed to the registration department where a transcription of the contents of the bull was made and entered in the register. It may be of interest to note that it is not definitely known whether or not these transcriptions were made from the 'nota' or from the 'littera grossatores'.⁶⁰

The administration of justice was another important function of the papal curia. As has been mentioned earlier, one of the means which the popes adopted in developing their authority throughout the church was to encourage appeals to Rome on all matters pertaining to religion. Naturally, an organization had to be set up to deal with the petitions as they came in. The principal body was the Consistory, described in a letter written by Innocent III to the Bishop of Ely, as "the assemblage of the Cardinals in council around the Pope". At first, apparently, the Consistory was a subsidiary body, used to administer the church during the intervals between the great councils, to which the main task of ecclesiastical government was entrusted. Towards the end of the twelfth century when it became increasingly difficult to summon councils of anything like an oecumenical nature, the cardinals, and hence the Consistory, became much more powerful. Originally, even as had been true of the English Parliament, the Consistory had performed important judicial as well as administrative functions, but as the organization of the

church became more centralized and complex the judicial powers were delegated to smaller more specialized bodies while the Consistory concerned itself more exclusively with administrative work.⁶¹ Most cases were referred for trial to a body known as the Cardinal Tribunal.⁶² The principal authority of this court was the 'auditor', appointed by the pope. Apparently he might be a cardinal, one of the chaplains, or a bishop.⁶³ He heard the suit (hence the name auditor) and then usually referred the matter to the pope for final decision, although occasionally the auditors themselves might render a verdict, subject, of course, to papal confirmation. In the latter part of the thirteenth century, during the reign of Innocent IV, a development of note occurred when the auditors became distinguished from the chaplains, and received the title "sacri palatii causarum generales auditores".⁶⁴ About the same time this body became particularly concerned with disputes arising from appointments to benefices. However, the auditors still did not have definitive jurisdiction, rather they constituted a college from which the pope chose certain judges for specific cases.⁶⁵ Towards the end of the thirteenth century some 'auditors general' had been chosen to hear civil suits in the papal dominions, and Nicholas IV, in 1288, made several of these appointments permanent. As time went on the 'auditors general' began to specialize, hearing

particular types of cases only, with the result, as nearly always happens when such a high degree of specialization sets in, that an autonomous tribunal arose.⁶⁶ The pope, however, still retained an interest in the operation of the courts, and the litigant had the alternative of appealing before the auditor or the pope. The limits of the jurisdiction of the court, although the rules governing its actions were laid down by John XXII in 1331, were never clearly distinguished during the fourteenth century. It was during the pontificate of John XXII's successor, Benedict XII, that the name 'Tribunal of the Rota' came to be generally applied to the 'audientia'.⁶⁷ One further court, the "audientia letterarum contradictarum" should be mentioned. This court decided all pleas in bar of action, heard arguments upon documentary evidence presented, investigated the documents, decided on their validity, and arranged for copies to be made. Apparently it also deliberated on the legal implications of sentences given in the other courts.⁶⁸

An institution in some ways associated with the administration of justice, and certainly an important part of the central government of the church, was the papal penitentiary.⁶⁹ The main function of this body was to remove various impediments, to rescind sentences of excommunication, suspension, or interdict imposed by the papacy, to grant dispensations for marriage within the pro-

hibited degrees of consanguinity, and to give absolution in reserved cases.⁷⁰ The origin of the tribunal is very obscure, but it is generally considered to have developed in the Eastern Church and later to have been imported into the Western.⁷¹ From the time of the Council of Clermont, 1130, when Innocent II reserved to the papacy absolution for the crime of striking a cleric (the first generally recognized instance of a reserved case)⁷² the penitentiary began to grow in importance. Reserved cases soon became common and numerous and it was necessary to establish an organization to deal with all the penitents. The department was entrusted to a cardinal-penitentiary, who was either a cardinal-priest or a cardinal-bishop. He went under a variety of titles, "poenitentiarius major (or summus)" or "sedis apostolicae poenitentiarius generalis",⁷³ and he had a numerous staff. A "personal sufficiens" heard the supplications of the penitent and examined them. If any difficult matters were involved they were passed on to a doctor of canon law. The 'distributor', 'scriptores' and 'correctores' performed the various clerical duties (which their names would suggest) in connection with the correspondence.⁷⁴ Besides these there were from twelve to eighteen 'penitentiarii minores' who 'heard the confessions of the faithful between the hours of prime and tierce in the cathedral or principle church of the town where

the pope had his residence'.⁷⁵ These 'little penitentiaries' had no special powers and any matter of weight coming to them was referred to the grand penitentiary or the pope.

From the point of view of papal supremacy probably the most important aspect of the central administration was the apostolic camera, which controlled the finances. The need for such an organization arose early with the development of the Patrimony of Peter and the temporal power. By the time of Gregory the Great the sums recorded in the papal exchequer had already reached very sizeable proportions.⁷⁶ It is significant that when we first hear of any financial organization in the church there are already three officials engaged in the service;⁷⁷ the 'arcarius', who seems to have borne the responsibility for sums received, the 'saccellarius', who was the paymaster-general, and the 'vestararius', a sort of treasurer, an office which soon passed away.⁷⁸ The term 'camera' was not applied to the organization until the early eleventh century, and the exact implication of the name is not clear.⁷⁹ At about the same time as the new name, a new official, the 'camerarius' made his appearance as head of the camera. Only a short period after this, during the ascendancy of Hildebrand, although it is doubted whether he was responsible,⁸⁰ the financial system of the papacy was organized on a much more efficient basis; control was concentrated in the hands of the

'camerarius' and the offices of 'arcarius' and 'saccellarius' gradually faded away. Even greater efficiency was demanded of camera when, towards the end of the twelfth century, the ever-growing temporal power of the popes and the assistance which they offered to the crusade necessitated borrowing.⁸¹ New taxes were evolved, old ones were collected more rigorously. It was soon found that better results were obtained if the camera sent its own representatives to superintend directly the collection of taxes rather than rely on the local prelates and the hierarchy, which always seemed to absorb some of the money before it reached Rome. However, the period of highest development in the organization of the camera did not come until the Avignon residence of the popes. Being cut off from some of the revenue of the Patrimony,⁸² and having lost much of the papal treasure at Anagni in 1303, the papacy was forced into new methods for sustaining its economy. The camera itself, under the remarkable executive ability of John XXII, was organized on a scale unprecedented for efficiency. Also, the system of collecting taxes was crystalized during the reign of Clement VI (1342-52) with the division of Europe into collectorates and the establishment of permanent collectors under the direct control of the camera.⁸³

As has been previously mentioned, the chief official of the camera was the camerarius or chamberlain. The camerarius

was appointed by the pope and was directly responsible to him. He became, by the close of the thirteenth century, quite the most powerful person in the curia, with the exception, of course, of the pope. The camerarius' control over the finances, and his responsibility for the real estate and property of the papacy,⁸⁴ brought him in their train many administrative and judicial functions. So comprehensive were his duties that delegation of authority became essential, but he alone was held responsible for the proper collection of the papal taxes and the receipts and expenditure of money.⁸⁵ He has been aptly described by at least two authorities as 'a true minister of finance'.⁸⁶ The camerarius' vast authority naturally made him one of the pope's chief councillors; his constant concern with the forms and usages of the church gave him facility and authority in canon law, and it seems apparent that he took a considerable part in the secular and political relations of the papacy with the European powers.⁸⁷ It would appear that the office was usually held by a bishop or archbishop who generally received the cardinal's hat at the end of his term of office in recompense for his services.⁸⁸

The camerarius was assisted in the work of the camera by the treasurer and the clerks of the chamber. The treasurer appears to have been something of an accountant; he received the money, kept the books, made necessary disbursements and

rendered statements of account when called for by the pope.⁸⁹

The treasurer also had some control over the collectors of papal taxes,⁹⁰ although he was generally subordinate to the camerarius in all his functions.

A variety of minor officials, 'scriptores', 'cursores' and 'litterae camerales' assisted the camerarius and the treasurer.⁹¹ Of these by far the most important were the 'litterae camerales' who were often employed on important missions and acted as supervisors to the small fry of the camera, the 'scriptores' and 'cursores'. By the middle of the fourteenth century the 'litterae camerales' had become known as councillors. Under John XXII there were only four such officials at one time and the number seldom reached more than seven.⁹²

It is to be expected, especially in medieval Europe, that any financial organization of the nature of the camera would also perform certain judicial functions. Such, indeed, was the case, for the camera, in addition to having jurisdiction over its own staff, was the court to which all disputes regarding papal finance were brought. If a quarrel arose between tax collector and payer, if an incumbent refused to surrender the dues owing to the pope, or if a collector was guilty of too great zeal, all came to the camera.⁹³ The camerarius was officially, of course, the head of the judicial organization of his department,

but he generally delegated his authority as judge to a subordinate auditor, or vice auditor, who was appointed by the pope and was empowered to hear most cases within the jurisdiction of the camera.⁹⁴

The other officials of the court included a fiscal proctor, who represented, initiated and prosecuted the cameral cause,⁹⁵ the advocates of the camera, who offered legal advice to the camerarius and defended the cameral cause, and a 'sigillator',⁹⁶ who kept the auditor's seal and acted in the general capacity of clerk of the court. It is interesting to note that, even as was the case with the English Court of Exchequer, so efficient was the operation of the cameral court deemed to be that it soon was resorted to in the case of civil law suits of a fiscal nature which were purely private and had nothing to do with church finance.⁹⁷

Mention should be made of that aspect of the camera's activity which was concerned with the actual collection of the taxes and monies due to the church. Within the Patrimony this function was performed by the 'rectors' who were local governors of provinces in the Papal States. As the provincial administration grew more complex treasurers appeared among the officials, but it is noteworthy that they were appointed by the camera, not the rector.⁹⁸ Unfortunately, however, the treasurers were responsible to the governor of the province (the rector) as well as the camera and it was not until well on in the fourteenth century

that this troublesome dual allegiance was finally dissolved in favor of the camera.⁹⁹

Outside the patrimony the system of collecting taxes was more complex. The first collectors used were local prelates, during the second half of the eleventh century.¹⁰⁰ This did not prove particularly efficient, and an important step forward was made early in the twelfth century when papal emissaries, often legates, were commissioned to collect the taxes. Centralization of fiscal control was thus materially advanced, for direct representatives of the curia could naturally be supervised more easily than could local prelates,¹⁰¹ and they were not inclined to object so strenuously to the numerous taxes that were soon to be levied on the beneficed clergy. As the system of taxation expanded it became necessary to appoint men whose sole duty would be to collect the papal dues. By the time of Clement VI (1342-52) permanent collectors had been appointed in practically all parts of the Roman Catholic world.¹⁰² The collector had extensive ecclesiastical authority at his command, excommunication and the like, and was himself generally not subject to local church courts.

Various methods were employed in order to transfer the money to Rome once it was collected. The Templars were the first to perform this function, but their organization proved too clumsy,

and by the second half of the thirteenth century Italian banking firms, 'mercatores camerae', had taken over the business. These firms took full responsibility for transferring the money to Rome, but if it was not needed immediately they might derive profit from it by using it in other enterprises. The business and protection afforded by the papacy has been considered in no small way responsible for the prosperity and prominent position of the Italian bankers.¹⁰³

The taxes and revenues of the papacy (there were more than twenty different kinds) are in themselves a fascinating study. There is no point in cataloguing them all here, but a few of the more significant and historically important might be mentioned. The Denarius of St. Peter, or Peter's Pence, was a tribute fraught with the gravest potentialities for British history. Originally it was a form of alms sent by the English king to support the English colony in Rome. The colony soon died out, but the popes saw no reason why such a profitable source of revenue should suffer a like fate. It was the negligence of the Anglo-Saxon kings to continue to pay the tax (for such in fact it had become) which prompted Alexander II to give his support and blessing to William's invasion of England. Peter's Pence was made the basis for a good deal of tortuous reasoning by means of which Gregory VII and several other pontiffs

convinced themselves that England was a papal fief.¹⁰⁴ Throughout the whole course of English history during the middle ages the tax was a bone of contention between the popes and the kings of England.

Another type of tax, more important from the standpoint of extension of papal control, was the census, or Apostolic Tax. It was a tribute, or at least it came to be by the twelfth century, paid by various religious establishments throughout Europe that had in theory given absolute ownership of their possessions to the vicar of St. Peter in order to escape the encroachments of lay and ecclesiastical lords. The papal ownership of the property was only in theory, but the tribute was paid in recognition of the vague suzerainty. The census was not so important a source of revenue as has often been supposed. The actual sum was small (during the reign of John XXII £2 was the largest single payment from the British Isles)¹⁰⁵ and there were not so very many institutions that made use of the exemption. However, the levy of the tax necessitated considerable clerical labor.¹⁰⁶ The preparation by Cencius, afterwards Honorius III, of a systematic register of the census-payers was a great step forward towards more efficient collection of this tribute.

Most important from the standpoint of revenue, especially during the Avignon residence of the popes, were the benefice taxes which fell exclusively on the prelates. Among the most lucrative

of these was annates, 'a portion of the first year's revenues of a benefice paid to the pope on the occasion of a new collation'.¹⁰⁷ This particular source of revenue was not developed by the papacy until the fourteenth century and did not become really firmly established as a source of income until the time of Innocent VI (1352-62). The idea did not originate with the papacy, for annates had previously been levied by local prelates and princes.¹⁰⁸ Closely associated with the annates, and often confused with it,¹⁰⁹ was a similar tax called 'servitia' or services. "The services were charges paid by patriarchs, archbishops, bishops, abbots and for a period by some priors, on the occasion of their appointment or confirmation by the pope in consistory."¹¹⁰ 'Pallium', a tribute paid by archbishops when they received the pallium at the hands of the pope, was a subdivision of the 'servitia'. The tithe, or income tax, also fell exclusively on the clergy. It was first used by Innocent III in 1199 in connection with the crusades.¹¹¹ The tax was a proportion of the income of the clerics, varying from one-fortieth to one-tenth, and levied sporadically. Often the crusades for which the tribute was exacted did not materialize, and the payers were, not unnaturally, annoyed. Generally, however, the pope received only a small portion of the amount actually obtained, the rest going to the lay ruler of the clergy who paid the tax.¹¹² The 'right of visitation' and

'spolia' were two other taxes falling on the beneficed clergy. The first arose in connection with the requirement that certain prelates go to Rome periodically,¹¹³ and took the form of a substantial gift presented to the pope on the occasion of these formal visits. The right of spolia consisted of the seizure by the pope of the personal property¹¹⁴ of a prelate on the occasion of his (the prelate's) death.

These few instances of papal taxation should surely serve to indicate, if nothing else, the great power and authority wielded by the pope over the church. That the curia, on what were really rather flimsy claims, should be able to exact these considerable tributes is in itself clear proof of the degree to which the policy of centralization of power within the church had succeeded.

The supremacy of the papacy in the church lasted longer than was the case in the secular sphere. Indeed, it was a full century after the time of Innocent III, during the period of the Babylonian Captivity, that the popes climbed to their dizzyest heights of ecclesiastical authority.¹¹⁵ Yet even at that time forces were at work undermining the papal power. The forces of nationalism, which had already destroyed the Empire and the aspirations of the papacy to universal secular authority, were hardly sympathetic towards a catholic church. Even had they been, the

popes themselves had undermined the edifice by submitting to the Babylonian captivity and the domination of the king of France, thus antagonizing the other European states and encouraging their effort towards complete nationalism.¹¹⁶ Then again, the very extent to which centralization was carried during the Babylonian Captivity in itself spelt disaster for the papacy. The pope could no longer attend to matters himself, all sorts of specialists were employed, yards of red tape ensued, more money had to be found to pay the officials, corruption crept in, the morals of the clergy sank to even lower levels. The hierarchic system and the accompanying concentration of power in the hands of the pope and curia were blamed for the evils. The whole medieval organization of the church was called in question by intellectuals everywhere. But in essence it was a conflict between medievalism and modernism, world empire and nationalism, scholasticism and humanism. A highly flexible organization might have adjusted itself to the new ideas, but that could hardly be expected of the painstakingly wrought ecclesiastical hierarchy.

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Chapter III

The Theory of Papal Supremacy from

Damiani to Marsiglio

It is readily understandable that a controversy so heated as that between the empire and the papacy should call forth a very considerable literary effort in support of either side. The conflicting theories of secular and ecclesiastical supremacy were of great importance, but it must be remembered that generally they followed rather than led events. The flurries of sectarian pamphlets are fascinating indexes to intelligent opinion, but they generally came to support or condemn a stand which had already been taken in fact.

In discussing the somewhat narrower portion of this topic dealing particularly with the position of the papacy, an annoying difficulty is immediately evident. Obviously there are two aspects of the problem; first, the supremacy of the ecclesiastical power over the secular, and second, the preëminence of the papal authority within the church. Unfortunately the theorists seldom concerned themselves directly with the latter consideration, and, for practical purposes, the total bulk of the controversial literature deals with the relative claims to sovereignty of emperor and pope, disregarding almost entirely the rather ticklish problem of the extent to which the papacy was justified in assuming the headship of the church. There was actually very little real theory here; the de facto position which the papacy had established

for itself, as described in the last chapter, became accepted as de jure in course of time. Also, the question is intimately bound up with the more general problem of the relations of church and empire, for the papacy, in the development of its temporal power and in striding forth as the leader of the forces holding for spiritual domination, asserted thereby a position of primacy. The struggle of the church with the empire demanded in its very nature a spiritual head who could be effectively opposed to the emperor. Thus, in general, the arguments for spiritual supremacy are so closely associated with the idea of the primacy of Rome that the latter is nearly always implied, at least, in the former. And again, of course, many of the claims which the papacy advanced with regard to its secular authority had implications just as important for the church as for the lay powers. Nevertheless, before proceeding to a discussion of the controversy in theory between the spiritual and temporal powers it might be wise to glance quickly at the grounds on which the Bishop of Rome based his vast claims for preeminence over not only the western sees, but the whole of the Christian Church.

Back of all the theories of Roman supremacy was the tradition that the church at Rome had been founded by Peter. This, coupled with the famous text, "Thou art Peter, and upon this rock I will build my church; and the gates of hell shall not prevail

against it. And I will give unto thee the keys of the kingdom of heaven; and whatsoever thou shalt bind on earth shall be bound in heaven, and whatsoever thou shalt loose on earth shall be loosed in heaven", was considered adequate foundation for the supremacy of the Roman See. Few denied that the Roman church had been founded by Peter, but the gloss which the Roman bishops, from about the time of Leo the Great (440-461), began to put on the text in question was often confuted. There were many who denied Peter any position of primacy amongst the apostles. Others, while conceding this, said it had been a personal distinction and did not follow through the Roman bishops. Yet another group maintained that after Peter's death the primacy had come equally to all bishops.² Nevertheless, the pro-papal interpretation persisted, became generally accepted, and was used as the foundation on which the whole of the future authority of the popes was based. Henceforth, the actual power and its theoretical basis was further augmented by the decretals, forged and otherwise, which accumulated over the centuries. To be able to exhibit written evidence to substantiate a claim was, in the middle ages, the best way of establishing a legal right. Lacking philological and other scientific aids which we have today in order to detect frauds, it was comparatively simple for well meaning, but rather unscrupulous clerics, to produce a forged statement, suitably tattered and withered with age, which might offer the necessary

authority for practically anything. The papacy had recourse to such practices, though it would be unfair to imply that it was the only religious (or other) institution employing such devices. The Charter of Clovis, in an admirable but dubious gesture of generosity, bestowed on the Church of Rheims possessions in Champagne, Austrasia, Burgundy, Auvergne, Touraine, Poitu and Marseilles!³ However, it must be admitted that there is a particularly large number of such frauds (though there is no reason to believe they considered them as such) to which the medieval popes appealed as the legal justification for the extension of their power in a variety of fields. Among these are the Donations of Constantine and Pepin which were used as the basis for the temporal power of the papacy. The former purported to be a document prepared by the emperor Constantine who, on the removal of his capital from Rome, "delivered and relinquished to Pope Silvester (314-36) and to all his successors who shall sit upon the seat of the blessed Peter to the end of the world complete power and jurisdiction over the Lateran and over the provinciae, loca, and civitates of the city of Rome and all those of Italy 'seu occidentaliū regionum'.⁴" The forgery went unchallenged throughout the whole of the middle ages, and was detected, ironically enough, by Lorenzo Valla in 1439, working in the employ of Eugene IV. The Donation of Pepin is also of dubious authen-

ticity. This 'most Christian king of the Franks' is supposed to have sent his representative to Rome, and there "he placed the keys of Ravenna and of the other cities of the exarchate along with the grant of them which the king had made, in the confession of St. Peter, thus handing them over to the apostle of God (Peter) and to his vicar the holy pope and to all his successors to be held and controlled forever".⁵

A whole volume of documents, the Isidorian Decretals, was brought forth at the Synod of Quercy (857). It was a collection of regulations, old and new, true and false, which placed the church and the pope in a very favourable position relative to the secular authorities. The tone of the decretals is more accurately described as anti-imperial rather than pro-papal, for the main object seemed to have been to establish, as far as possible, a system of clerical immunities from the encroachments of lay authorities. In emphasizing the legal organization within the church and the conception of the hierarchy, the papal position was inevitably strengthened, but it is doubtful, nevertheless, whether the pope had anything to do with the preparation of the decretals. The document, in spite of its questionable origin, has often been praised by such distinguished historians as Mohler and Milman for its "air of profound piety and reverence, specious purity, and many axioms of seemingly sincere and vital religion".⁷

The Decretals were long accepted as authentic (at least for the whole of the period here under discussion) and were incorporated in the collections of Canon Law made by Gratian and Gregory IX.

The concept of the twofold authority, that of church and state, is so obvious in the political theory of the middle ages that it is sometimes almost overlooked. Yet it certainly lies at the root of a very great portion of the political thinking of the whole of the medieval period. The idea was very old and was supposed to have had its first dogmatic presentation as early as the fifth century in a letter of Pope Gelasius to the Emperor Anastasius. "There are two systems under which chiefly this world is governed, the sacred authority of the priests, and the royal power. Of these the greater weight is with the priests in so far as they will answer to the Lord even for the kings in the last judgment."² Here, simply, is the crux of the controversy; that the two forces actually existed it would have been futile to deny, and no one attempted to do so, but this thinly veiled insinuation of spiritual supremacy was the subject of prolonged and bitter controversy. The champions of lay independence were under a very distinct initial disadvantage in that even they felt obliged to concede that the spiritual arm was, by its very nature, in a more elevated position. This was, of course, a fatal concession, and it was used to the greatest

possible extent by the ecclesiastics in expounding spiritual supremacy. It was not, in fact, until the theorists of secular authority were prepared to deny any superiority whatsoever to the church that even the independence of the lay officials from ecclesiastical control could be successfully asserted. Until this development, which did not come until the fourteenth century, the champions of the emperor were definitely on the defensive and their arguments are seldom very convincing. Possibly the simplest and clearest way to observe the progress of the controversy is to confine our attention primarily to the crises in its development, the periods of Gregory VII, Alexander III, Innocent III, Innocent IV, Boniface VIII and John XXII.

Gregory VII early showed himself determined to exercise to the full all the latent and theoretical rights of the papacy and the ecclesiastical authority in general. But it must be remembered that his object in doing so was primarily to secure the reforms he desired within the church, rather than merely to extend for its own sake the power of the papacy.¹ Gregory's position and claims, at least at the beginning of the struggle with Henry IV, are often misunderstood. He did not deny the notion of the separation and independence of the secular power, but inclined rather to the view of his colleague, Peter Damiani, who stressed the interdependence of the two forces, and the

necessity for their cooperation and unity of action in the interests of Christendom.¹⁰ Gregory, like Damiani, was then something of an idealist, filled with vague and high hopes of what might be accomplished through the young Emperor Henry IV. Both clerics, of course, considered the ecclesiastical authority as of higher origin. As Gregory put it in a letter to bishop Hermann of Metz following the first excommunication of Henry, "the former power (i.e. the secular) came from human lust of power, the latter was instituted by divine grace". It must be noted, however, that Gregory, at this time, neither denied the existence of the secular arm as a separate force nor claimed any direct jurisdiction over it. What he did most emphatically demand, and Damiani would agree with him here,¹² was that "when God gave to Peter as leader the power of binding and loosing in heaven and on earth he excepted no one, withheld no one from his spiritual jurisdiction".¹³ The excommunication of 1076 was pronounced as a result of Henry's spiritual transgressions and indiscretions. Deposition, though implied, was not actually enforced; no successor was appointed; and there was no attempt on Gregory's part to interfere directly in the course of political events in Germany. This, of course, was a far cry from the position Gregory assumed at the time of the second excommunication of Henry in 1080. By then he had adopted the more

radical anti-imperial sentiments of his friend and advisor, Cardinal Humbert, who was among the first definitely to establish the doctrine of the subordination of the civil to the spiritual authority. The church, he says, is as the soul, the secular power as the body, "and even as the soul dominates the body and commands it, the sacerdotal dignity is superior to the royal dignity, as the sky is to the earth. For that there may be order the spiritual power must, as the soul, determine what is to be done, then the secular power like the head, will command all the members accordingly".¹⁴ These sentiments are clearly reflected by Gregory VII in another letter to Hermann of Metz following the second excommunication of Henry; "Does anyone doubt that the priests of Christ are to be considered as fathers and masters of kings and princes and of all believers?"¹⁵ The excommunication was imposed for no purely spiritual offence, but for Henry's refusal to submit a matter of political interest, who should reign in Germany, Rudolph or himself, to the arbitration of pope and council. Gregory, by his action, clearly claimed the right to appoint the emperor; nor was he unconscious of the implication of his stand, for 'he exhorted the members of the Council to act so that all the world might know that, as they had power to bind and loose in heaven, so also they could take away and grant kingdoms, principalities, and all other possessions

of men, according to men's merits'.¹⁶ It must be remembered however, as McIlwain cautions, that this was a crisis period and that actually the papacy had not as yet advanced any claim to temporal, as distinct from spiritual, authority over the empire.¹⁷

Gregory's conception of the position of the pope within the church kept pace with his notion of its authority over the secular arm. The famous 'Dictatus Papae', which was paraphrased in an earlier chapter, and which has been finally established as belonging to Gregory's register of the year 1075,¹⁸ is quite the most forceful presentation to that date of the sanctity of the incumbent of the chair of Peter. Here again Gregory reflects the view of Humbert, who was particularly emphatic about the position of the pope at the head of an ecclesiastical hierarchy.¹⁹

Such claims, of course, as well as proving annoying to the emperor, produced no small flurry of activity in the literary world. According to one authority²⁰ there were, during the latter half of the eleventh century, no less than a hundred and fifteen separate writings supporting either the imperial or papal view of the situation, and as many as sixty-five different authors are said to have taken part in the controversy. Rather than spread out rather thinly over such a formidable array, a more valuable picture of the opposing groups may be obtained by dis-

cussing, in some detail, a representative from each side. Thus, unfortunately, men worthy of note will not always be mentioned, but the general tenor of the argument, it is hoped, will become clearer by the omissions.

One of the most able exponents of the pro-papal view at this period was Manegold of Lautenbach who, in his large general work on political theory, 'Ad Gebehardum', set out clearly the conception of a limited royal authority. He was decidedly more interested in eliminating tyranny from the empire than in extending the power of the papacy. Manegold does not for one moment think to confute the divine origin of either the state or of kingship, but he does maintain most emphatically that it is the office of king rather than the person, which is to be honored.²¹ The essence of Manegold's theory was opposition to any arbitrary or despotic force which tended to impose absolute obedience upon the subject.²² The church, he thought, might perform a useful and beneficent role by keeping an unmanageable lay prince in check. His principal antagonist, Heinrich of Trier, the exponent of royal absolutism, pointed to various precedents which would tend to prove that the ecclesiastical authority had no power to depose a secular prince, and that the spiritual arm had previously acknowledged its subservience to the secular in temporal matters. These precedents were brushed lightly aside by Manegold, in the

same way that he dismissed Henrich's condemnation of Gregory's absolution of the Germans from their oath of allegiance to the emperor. Manegold's argument was that 'no subject binds himself by an oath to obey a ruler who is possessed of fury and madness'.²³ The oath of allegiance, Manegold maintained, and as the reciprocal oath of the coronation ceremony clearly implied, was in the form of a contract equally binding to both parties, king and subject. When Henry IV broke his part of the contract by dealing unjustly with the church, then the pope was quite within his rights in absolving the subject formally from his oath, for the contract had ipso facto been broken as soon as the king failed to fulfil his obligations.²⁴ The whole theory is an interesting anticipation of the social contract idea, but Manegold's notion, it must be remembered, was not so much the result of speculative thought as of a careful interpretation of the existing constitution of the empire.²⁵ His ideas are well summarized in the following passage from 'Ad Gebehardum';

"As the royal dignity and power excel all mundane powers, so no person of wicked or scandalous life should be instituted to exercise them For no people raises him (i.e. the emperor) above themselves to give him an opportunity to act the tyrant over them, but to prevent tyranny and wrong doing of others. And when he who is chosen to defend the good and to hold the evil in

check himself begins to cherish wickedness, to stand out against good men, to exercise most cruelly over his subjects the tyranny which he was bound to combat; is it not clear that he justly forfeits the dignity conceded to him, and that the people stand free of his rule and subjection, since it is evident that he was the first to violate the compact (pactum) on account of which he was made ruler?"²⁶ Manegold, as does Wenrich, cites historical precedents to establish and substantiate his case; how popes had excommunicated and deposed kings and princes, and how people had risen in revolt against despotic rulers. He also, incidentally, upholds the attitude of the Gregorians towards lay investiture, which was, it will be remembered, that secular interests would be respected, but appointments must be subject to ecclesiastical control.²⁷

Wenrich, in opposing Manegold, rests most of his arguments censuring Gregory's action in deposing Henry on an appeal to authority. Rebellions against princes are nothing new, he says, but it is an innovation that a pontiff should take it upon himself to solve such problems of state, especially when his illustrious predecessor, Gregory the Great, had set the example in complete submission to the emperor in temporal matters, even when he disapproved of the emperor's stand.²⁸ Wenrich claims that the excommunication of Henry was unjust and therefore

invalid,²⁹ and he denies fervently the right of a pope to depose a monarch even if he were wicked and impious. However, it should be noted, that although for the most part Henrich discreetly leaves the matter alone, he no more commends Henry's action in deposing Gregory than Gregory's in deposing Henry. Henrich did, nevertheless, imply that the election of the pope was dependent on the sanction of the emperor; but then so did Damiani.³⁰ Henrich's stand, in brief, was the one which the imperialists were to adopt for most of the next two centuries; the complete independence of the two powers. It is very doubtful, however, whether Henrich or any of the other theorists of the late eleventh century fully realized that this independence of the two powers was the fundamental issue. Everyone was so concerned about the problem of the respective rights of emperor and pope to depose one another that the over-all character of the question was obscured. Generally, however, the attitude of the pro-imperialists was that of Henrich; while the papalists reflected Manegold and Damiani, demanding the complete spiritual supremacy of the church and the papacy, but not, as yet, advancing any determined claim for direct control in temporal matters.

The pamphlet warfare, as would be expected, went on with ferocity until the time of the Concordat of Worms. If anything, the position of the king became more popular. The notion

proposed by Hugh of Fleury, that "the king bears the image of the Father, and the bishop that of Christ, and that it is therefore right that the bishop should be subject to the king in his kingdom",³¹ is taken up and expanded in one of the most singular documents of the period, an anonymous pamphlet entitled 'Tractatus Eboracenses', which not only denies the spiritual authority of the pope over the divine office of kingship, but refuses him any power over the bishops and the mass of the clergy.³² The document is, of course, extreme and in no way typical of the thought of the period, but in its condemnation of the priestly hierarchy it is an interesting anticipation of the fundamentally protestant idea of 'the priesthood of the common man'.

The next general flurry of literary activity respecting the relations of the spiritual and temporal powers accompanied the upheaval which took place during the second half of the twelfth century: the troubles between Alexander III and Frederick Barbarossa. The change which was then taking place in the relative positions of the two powers is clearly reflected in the work of the theorists.

John of Salisbury, though writing a little before the outbreak of hostilities between Alexander and Frederick, considered a somewhat similar and equally difficult situation, the tussle between Becket and Henry II. John was a personal friend of Becket's

and for this reason, if none other, we would expect him to be a staunch supporter of the ecclesiastical side of the question. But John, although he maintained the superiority of the spiritual power, was quite as severe in his censures of church as of lay tyrants. Most important in his thought was the positive assertion of the temporal supremacy of the papacy. He said, in a famous passage in his 'Polieraticus': "This sword then (coercive jurisdiction in temporal matters), the prince receives from the hand of the Church, although she herself in no sense holds the sword of blood. She nevertheless possesses this sword, but she uses it by the hand of the prince on whom she confers the coercive power over the body, reserving the authority over spiritual things for herself in the pontiffs. The prince, therefore, is in a sense the minister of the priestly office, and one who performs that part of the sacred functions which seemed unworthy of the hands of the priesthood. For every office concerned with the sacred laws is religious and holy, yet this is a lower office because it consists in the punishment of crimes, and seems to bear something of the character of the executioner"³³. Here is one of the first definite statements of the theory that all power derives from the spiritual arm. It is a distinct and important advance on the theorists of the time of Gregory VII who, much as they might maintain the supremacy of the papacy and the church in

matters spiritual, never went so far as to claim that the plenitude of power rested with the ecclesiastical organization, that the prince was merely the representative and deputy of the spiritual power. Theory was, for once, ahead of the actual situation, for it was not until about a third of a century after John of Salisbury wrote his 'Polieraticus' that the papacy, under Innocent III, was to reach this lofty position. In spite of his championship of the church John was very critical of the state of its institutions, especially the papacy. He roundly condemned the ever growing luxury and opulence of the Papal Court, and the greed and avarice of the beneficed clergy. He urged the appointment of humble, plain-living folk to the clerical offices, men who would not be tempted by the opportunities to acquire either power or riches.³⁴

An important writer who was opposed to the extreme view of the temporal authority of the church taken by John of Salisbury was Gerhoh of Reichersberg. Let it not be thought, however, that Gerhoh advocated complete supremacy of the secular arm; far from it. He favored, rather, a careful balance of authority between the two powers,³⁵ and was equally concerned about the rights of both emperor and pope, as his anxiety regarding the concessions made to the lay authority by the Concordat of Worms clearly indicates.³⁶ His position was thus a very dif-

fiicult one to maintain, and more often than not he was condemned as an enemy of both bishop and king.³⁷ Nevertheless his fundamental conception of the independence of the two powers definitely stamps him as one of the men opposed to the grandiose claims of the papacy. Gerhoh found the stumbling block, the basis of his trouble, in church property. As was amply evident, the possession of great estates distracted, in their administration, the lords spiritual from their ecclesiastical duties. There was an inevitable confusion of spiritual and temporal functions which, to Gerhoh, it seemed essential to keep distinct and quite separate. Especially did Gerhoh detest the use by prelates for secular purposes of the temporal authority which possession of land gave to them.³⁸ He did not condemn the excommunication and deposition of princes, provided that such action were taken in defence of the church;³⁹ and he supported the theory that the church may, in political disputes between countries, act as arbitrator, and even assist the party to whom it awards its decision in establishing himself, provided that the assistance offered by the church does not transgress beyond its spiritual jurisdiction.⁴⁰ But the schism which divided Christendom at the time of the election of Alexander III emphasized a rather different aspect of Gerhoh's thought. He inclined towards Alexander until it became evident that this pope was in league with certain other European powers

in an attempt to force his will upon the emperor. As soon as it was clear that the papal party wished to submerge the independence of the secular arm Gerhoh became decidedly antagonistic.⁴¹ His attitude was not so much against the idea of increased power in the hands of the church as against the loss of freedom to indulge fully in spiritual affairs which the entanglements in secular politics would, he thought, inevitably entail for the church.⁴² Yet, following the death of the anti-pope Victor and the rather uncanonical election of his successor, Paschal, Gerhoh, who was always a stickler for 'due process of law', recognized Alexander without reservation as legitimate pope. For this he was expelled from his native pro-imperial Reichersberg, and thus felt the wrath of both parties. Still he maintained his impartial attitude, lamenting the growth of temporal power in the church and, to substantiate his view, pointing to the developing avarice and greed of the clergy. Gerhoh's outlook was fundamentally moderate and opposed to despotic authority; "it is neither the emperor nor the king who makes the Pope or the Bishop nor vice versa, but in each case their authority is drawn from those who have the right of electing them".⁴³

The position of Innocent III is of considerable importance in the history of medieval Europe. Not only did he wield the greatest actual power over the whole of western Christendom,

but he had an exalted theory of the importance of the ecclesiastical arm and its superiority over the secular. "Just as God," he wrote, "has set two great lights in the firmament of heaven, a greater light to rule the day and a lesser light to rule the night, so in the firmament of the Universal Church has He set two great dignities, the greater to rule the day, i.e. the souls of men, the lesser to rule the night, i.e. their bodies. These two dignities are the pontifical authority and the regal power. Moreover, as the moon derives its light from the sun, and is in fact less than the sun in every way, so the royal power derives the splendour of its dignity from the pontifical authority, and the more exactly it remains in its orbit with the more lustre will it shine."⁴⁴ Significant as this statement may be as indicating Innocent's idea of the supremacy of the church, it also clearly demonstrates that he recognized and accepted the existence of the regal power as a separate, and to some extent independent force, though deriving its authority from the spiritual.⁴⁵ Innocent made no attempt to confute the theory of the divine origin of the state nor did he claim direct temporal power within the sphere of the secular arm.⁴⁶ However, he considered the clergy definitely beyond the criminal jurisdiction of the state, to which they were subject only in respect to their temporal holdings.⁴⁷ But Innocent III did, in actual fact,

exercise tremendous temporal power in practically all the European states, and he was often hard pressed to reconcile his real authority with that which he claimed in theory. His intervention in the empire, and his decision between the two rival claimants, he explained as being wholly a spiritual matter, a verdict as to which was the better man; a choice not beyond the legitimate jurisdiction of the church.⁴⁸ An even more difficult position to resolve arose when Innocent claimed the right to dictate peace terms between France and England. He explained the case as follows: "It is not alone in the patrimony of the Church where we have full power in temporal things, but even in other territories that we exercise a temporal jurisdiction incidentally and on investigation of certain cases. Three kinds of jurisdiction are to be distinguished, first criminal and civil, (belonging primarily to secular jurisdiction), lastly criminal and ecclesiastical; and intermediate which belongs to either ecclesiastical or civil, and when anything difficult or ambiguous arises in these, recourse must be had to the apostolic throne".⁴⁹ The whole basis of the assertion is that the church is bound to protect the interests of the oppressed. There is, however, no general claim on the part of the church to over-ride the secular arm in its administrative functions,⁵⁰ in fact, in one instance, Innocent definitely decreed that suitors would not be

heard by the papal courts in secular matters unless justice had been refused by the lay authorities.⁵¹

Of considerable significance in the understanding of Innocent III's actions is his notion, very prevalent in all of his writings, of the exalted nature of the papal office. Not merely was he Vicar of St. Peter, as Gregory VII had been content to style himself, but Vicar of Christ, or even God, an intermediate creature between man and God, "placed above all peoples and kingdoms, endowed with the fulness of power, less than God but greater than man, judging all, but judged by God alone".⁵² Nevertheless, it was still through the theory that the popes are the spiritual successors to St. Peter that Innocent claimed this vast prerogative. The pope, according to him, though inferior to St. Peter in sanctity of person, was every bit his equal so far as jurisdiction was concerned.⁵³

Although Innocent III himself made no direct claim for the temporal supremacy of the Holy See, it is in his writings that the germ of that theory, later developed by Innocent IV, is found. Innocent IV was, it will be remembered, a canonist in his own right, and it is in his commentaries on the decretals that his conception of the position of the papacy is most clearly evident. He lays great stress on the rather vague idea of Innocent III that the papacy had the right to interfere in

secular affairs in the interests of true justice, and develops the notion of John of Salisbury that the secular sword has merely been delegated to a lesser authority, thereby implying that the emperor is merely a vassal of the pope.⁵⁴ The 'plenitudo potestatis' of the pope, according to Innocent IV, gave him the right to take over the administration of any temporal territories if the secular authority should be lacking or incompetent.⁵⁵ His power extended over Jews and infidels as well as Christians, by virtue of the fact that they too were sons of Adam; "for all, the faithful and infidels alike, are the sheep of Christ through creation though they may not be of the flock of the church".⁵⁶ Innocent IV denied that the pope derived his temporal authority from the Donation of Constantine,⁵⁷ affirming that this power came rather from his position as Vicar of Christ, Christ having committed his worldly authority to Peter and his successors, the popes. "It does not seem too much to conclude," says Carlyle, "that in Innocent IV's view all temporal as well as spiritual power in principle belonged to him."⁵⁸

The theorists of the latter part of the thirteenth century generally followed the extreme pretensions of Innocent IV and supported the absolute supremacy of the papacy. Among the most distinguished of the papal champions was Ptolemy of Lucca, whose political principles were embodied in the latter and major

portion of 'De Regimine Principum', of which the first section and a half were written by Thomas Aquinas.⁵⁹ Fundamentally Ptolemy believed that all lordship was of divine origin, a concept which was opposed to that held by many of the early theorists of the Hildebrandine school who supposed it, at least on the temporal side, to be a thing basically evil.⁶⁰ The reason for the change was to explain the authority of the pope in secular matters. The basis of Ptolemy's claims for the papacy was that all power, temporal and spiritual alike, belonged to Christ, who bequeathed it to Peter and thence to the popes; hence the necessity for conceding the divine origin of secular government. As did Innocent IV, Ptolemy treated the Donation of Constantine merely as a recognition on the emperor's part of a state of affairs which already existed.⁶¹ When the eastern emperor failed to defend the church from the incursions of the Lombards, the pope, thus showing that he possessed the real power, said Ptolemy, transferred the imperial dignity to the German kings.⁶² In the most dogmatic terms, even more so than Innocent IV or the canonists who supported him, Ptolemy thus laid down the conception that the emperor is merely the papal vassal and holds all his authority through the Holy See by virtue of the plenitude of power given by Christ to Peter and his successors in the papal chair.

It is of considerable significance that during this period of the thirteenth century there was no appreciable body of doctrine directly opposed to the theories of the supremacy of the ecclesiastical power. There were, however, many men not prepared to go to the extremes represented by Innocent IV and Ptolemy. Among these was Thomas Aquinas, possibly the greatest figure in philosophy in the middle ages. Unfortunately, Thomas, in his very extensive and voluminous writings, nowhere deals directly and in extenso with the theory of the nature of the relationship between the spiritual and secular powers. It is only natural, since he gives no concise account, that there should be some difference of opinion amongst scholars as to just how far Thomas went in support of the extreme theorists, and to what extent he disagreed. It is certain, however, that Aquinas assigns a lofty place to the temporal authority in his system; the ruler is no mere evil necessity, he is actually considered a means to good life and virtue for the citizen.^{b3} The primary function of the ecclesiastical arm is to guide the secular along this path leading to virtue.^{b4} But Thomas clearly indicates that the guidance offered by the church does not include interference in the temporal administration of the state, except in those things left to it by the secular power.^{b5} However, Aquinas holds with the early doctrine of Gregory VII that it is within the legitimate

rights of the church to excommunicate princes and absolve their subjects from their oaths of allegiance if the princes have committed some offence against the ecclesiastical authority.⁶⁶ But this in no way concedes that the spiritual is superior to the secular in all things. Aquinas, in fact, generally holds tenaciously to the Gelasian doctrine of the distinctly independent nature of the two powers.⁶⁷ He makes one very important exception, however, the person of the pope, who, according to Thomas, holds the highest place in both the spiritual and secular authority.⁶⁸ This is certainly a very curious and paradoxical proviso. It is difficult to see how the notion that the church has no temporal authority may be reconciled with the idea that the pope is supreme in both spiritual and temporal fields! Later more mature works of Thomas tend to confute this conception of actual papal supremacy. Instead, the idea is developed that the secular princes indirectly, rather than directly, will be swayed by the spiritual authority of the pope in all matters concerning the regulation and conduct of human life.⁶⁹ It was essentially a moderate position and certainly not akin to the stands of Innocent IV and Ptolemy of Lucca, with which it has often been associated.

What was in many respects the climax of the controversy between church and state regarding their relative power came with

the period of Boniface VIII. The course and nature of the struggle have already been discussed, but one or two external factors which tended to influence the situation might again be stressed. At the time of Gregory VII the lay rulers had been concerned lest they should lose control of the great lords spiritual primarily because, for reasons of unity and solidarity, it was very awkward that such a group should not owe allegiance to the temporal prince. By the end of the thirteenth century, however, there had been added to this initial concern of the lay lords another, possibly even more potent, factor. The great wealth and property of the clergy, which had been constantly growing and was generally held to be immune from lay taxation, was viewed with not unnatural bitterness by the ordinary tax payer. Also, the princes felt that they were being unjustly deprived of a very substantial source of revenue from within the confines of their own kingdoms. When the kings of France and England attempted to levy taxes on the beneficed clergy Boniface replied with a very radical statement of clerical immunities in the bull "Clericis Laicos", absolutely forbidding the prelates to pay tribute, and warning that any secular authority who should impose such exactions would incur 'eo ipso' the sentence of excommunication.⁷⁰ From this extreme position, as we have seen, Boniface was obliged to retire as gracefully as he might, even as he had

formerly retreated from his unconditional demand that England, France and Germany submit their quarrels to the arbitration of the Holy See. It was not long, however, before Boniface again took heart, and in 'Salvator Mundi' he rescinded his concessions to Philip and in fact restored 'Clericis Laicos'. Also, in the bull, 'Asculta Fili', the papal claims to general superiority on ecclesiastical grounds⁷¹ "over all kings and kingdoms with authority to destroy and build up"⁷² were forcefully stated. The situation did not improve. The relations between Philip and Boniface became more strained than ever; claims mounted higher and higher on both sides, culminating finally with the bull 'Unam Sanctam', considered "one of the most important documents of the middle ages",⁷³ and "the classic medieval expression of the papal claims to universal temporal sovereignty".⁷⁴ "By the words of the gospel we are taught that the two swords, namely, the spiritual authority and the temporal, are in the power of the church. The former is to be used by the church, the latter for the church, the one by the hand of the priest, the other by the hand of kings, but 'at the command and permission of the priest If the temporal power errs, it will be judged by the spiritual power, and if the lower spiritual power errs, it will be judged by its superior. But if the highest spiritual power errs, it can not be judged by men, but by God alone This spiritual

authority although it is given to and exercised through man, is not human, but divine Therefore whosoever resisteth this power ordained by God, resisteth the ordinance of God We therefore declare, say, and affirm that submission on the part of every man to the bishop of Rome is altogether necessary for his salvation."¹⁵

'Unam Sanctam' was probably the most extreme claim of the period actually issued by the papacy itself, yet, beside some of the fervent supporters of the papal cause at this time, its language appears careful and guarded. The work 'De Ecclesiastica Potestate' presents the views of one of the most radical of these protagonists, Egidius Colonna. A very distinguished man of letters, the author of a competent treatise on political theory, 'De Regimine principum', all in all, 'one of the greatest names in the history of political thought in the later middle ages', Egidius is worthy of careful consideration. The 'Ecclesiastica' is the most complete and extreme assertion of the papal claim to absolute temporal and spiritual supremacy. The idea of order and authority held 'of right'¹⁶ is everywhere dominant in the work. All 'dominium' (authority) is, of course, possessed by God, who grants it of his grace to various men according to their position in the hierarchy of the world.¹⁷ In an ingenious and highly scholastic form of reasoning Egidius develops this theory to

show that the mere hereditary claim of a son to the possessions and estate of his father "is only the beginning of justice, succession because of spiritual regeneration through the church. is its perfection and consummation".¹³ Thus only through the medium of the Church is it possible to have a just claim to anything. From this hypothesis Egidius reasons that a man excommunicated, cut off from the church, has neither authority nor property which he may rightfully call his own.¹⁴ The separate existence of the secular arm is not denied, but since the spiritual is superior (for the secular is derived from the spiritual) then the secular must bend to the will of the spiritual even in temporal matters. Furthermore, the whole of this plenitude of power which God has invested in the church rests with the supreme pontiff,¹⁵ who is to be taken, for practical purposes, as an absolute monarch, at least in temporal disputes.¹⁶ Here indeed, the power of the church and papacy reaches, in theory, its apogee. Other writers advance claims just as comprehensive as those of Egidius but none presents them in a more logical and systematic fashion.

But there was not, as in the middle of the thirteenth century, a complete dearth of able thinkers capable of answering and confuting these extreme views of the magnificence of the papal and spiritual power. One of the most accomplished of the

champions of the secular arm was John of Paris, whose treatise entitled 'Tractatus de potestate regia et papali' may be considered as a direct reply to the 'Ecclesiastica' of Egidius. John says the whole theory of the temporal supremacy of the church is founded on two misconceptions. The ecclesiastical power in itself, he says, can possess no temporal goods. Lands and riches may be held by great lords spiritual, but they are held from the secular power, not the church. The second error is the assumption on the part of the pope that since he is in the place of Peter all secular authority is of necessity held through him.⁸² John argues that the state is a natural and beneficent institution, and (in an interesting expression of nationalist sentiment) that there is no reason to believe that any single temporal authority was established to rule the whole world, but rather the contrary, that each state was a unit in itself. The true function of the priest, he says, is to help men to a higher plane of virtue than nature would allow, not to attempt to interfere in the administration of the state.⁸³ Although Christ most certainly possessed spiritual and temporal power, he did not bequeath them both to Peter, only the spiritual. The temporal power went to Caesar, and it is only, therefore, with the emperor's permission that the pope may rightfully exercise temporal jurisdiction.⁸⁴ Emphasis is thus placed on the divine nature of the secular arm; and, John

adds, since princes existed long before popes, they have, in point of time at least, precedence over the church authorities. The whole trouble between spiritual and temporal powers, according to John of Paris, arises from a lack of clarity as to the exact extent of the criminal jurisdiction of the former. The church may excommunicate, but technically nothing else. It is true that by threatening with excommunication those associating with a prince under the ban of the church a deposition may in fact be effected 'per accidens'.⁸⁵ But then a prince may, according to John, by similar indirect methods, through the cardinals, bring about the deposition of a wicked and impious pontiff. In practice he considers that temporal offences of a prince are dealt with by his nobles, those of the pope by the prince; spiritual offences of the pope are dealt with by his cardinals, those of a prince by the pope. He brushes aside as mere analogies the explanation of papal supremacy by comparison with the sun and the moon and the two swords. He denies that kingship is essentially evil, and confutes the implication that royal authority, on the ground that it is not spiritual, is necessarily inferior to the church. The aim of the state, he contends, is the promotion of virtuous living, which is as much a spiritual function as any performed by the church.⁸⁶ Of particular importance, for the later development of the conciliar theory, is John's idea

that the pope cannot command on pain of excommunication without the consent of the whole body of the catholic church, or at least a council; "for the world is greater than Rome and the Pope, and a council is greater than the Pope alone".⁸¹ John infers from the Donation of Constantine proof of his notion that the pope must derive his temporal power from the secular prince. He maintains also, that the Donation has been misinterpreted as to the territories involved. France was not included in the agreement, which actually, he says, refers only to Italy.⁸² Thus with John of Paris we have a reassertion in forceful terms of the theory of the distinct separation and independence of the two powers, and superiority of the spiritual power over the secular. In temporal matters is flatly denied. It is also pointed out that the secular power performs, by virtue of its cause and nature, functions of a spiritual cast. The 'Tractatus de potestate regia et papali' is, on the whole, a cool, reasoned document, and is typical of the calm and ability with which Philip and his supporters confuted the extreme claims of Boniface and the papalists, as well as justifying their own position.

By 1303, with the death of Boniface VIII, the crisis in practice had been reached and passed. The temporal power of the papacy lay in ruins, and soon the popes went off to Avignon, the veritable captives of the French king. But the theory of the

relations between the two powers came to no such abrupt end; in that field one of the bitterest conflicts between pope and emperor was yet to be waged. The flow of anti-papal literature which was to assume the proportions of a raging torrent by the middle of the fourteenth century was, as yet, a calm little stream. A profound change was to come over the theorists of secular supremacy. Thus far, it must be readily admitted, they had always been rather timid, constantly on the defensive, always very conscious of the fact that its spiritual nature gave the ecclesiastical power a sort of prior claim, confining their efforts more towards asserting secular independence than superiority. But now they assumed an attitude of active aggression and boldness. Many of the weapons which the papalists had used against the secularists were turned against their former masters. Aristotle, who had been appealed to by Aquinas for rather different reasons, was found to yield much in support of anti-papal theories. Likewise, civil, and even canon law, was found to offer many aids in combatting the papalists.²⁹ Then too, by the fourteenth century, the fact of a powerful French monarchy belied the fundamental conception of universality on which the theories of the papacy (and also the empire) were based; the old idea of unity was fast falling from favor. So long as the empire existed as a powerful force those who advocated it found it difficult not to make con-

cessions to the position of a Catholic Church. However, with the notion of secular unity crumbling, the spiritual counterpart of the idea might be more easily assailed. Of course, as the presence of Dante and 'De Monarchia' clearly indicates, the conception of universal monarchy was not entirely lacking in the literature of the early fourteenth century. In fact, technically speaking, the great struggle between John XXII and Lewis of Bavaria, which brought forth the bulk of the anti-papal writings of the period, was a continuation, indeed the culmination as far as the theorists are concerned, of the long conflict between pope and emperor. In reality, however, it was little more than a nationalistic war. Papal policy, with the curia at Avignon, had become distinctly French, and consisted of the extension of French influence at the expense of Germany. The Empire was in little better condition. It had lost completely any pretence it ever had of universality. Its policy too, was distinctly national, designed to maintain the German ascendancy in Italy.⁹⁰ Pope and emperor were thus opposed on nationalistic grounds. John demanded that Lewis vacate the throne in favor of a more malleable incumbent; naturally he refused, and so the fight began. The richness of the pamphlet literature which the controversy produced is due primarily to a distinctly separate and theological matter, John's verdict against the conception

of poverty put forward by the Spiritual Franciscans, a decision which threw many of the most astute minds of the day into opposition to the papacy and thus, indirectly, into the royal camp.

The pamphlets supporting the papal side are comparatively unimportant, for they add little that is new. Indeed, it is difficult to imagine how the claims of the papacy could be pushed farther than had already been the case in Egidius and earlier writers. Nevertheless, the whole wearisome matter was dragged out again by men like Augustinus Truimphus, Petrus de Palude, and the Portuguese Alvaro Pelago, whose treatise 'De Plenitu Ecclesiae' has been considered by Gierke as the most extreme of the pro-papal writings.⁹¹ The principle of unity is fundamental to the thought of all these men, especially Alvaro, who considers the whole of Christendom as basically the Church, and the Empire as merely 'accidental and for outward needs'.⁹² The pope is supreme, 'he has no peer upon earth, his power is absolute, and all the princes of the earth are his mere subordinate officers',⁹³ he is subject only to the law of God. The ideas are certainly not new, but they are expressed in an even more dogmatic, if not logical fashion than had been the case before.

Much more interesting are the theories which were

opposed to John XXII. They are more accurately described as anti-papal than pro-imperial. Hatred of the papacy was a much stronger force in the minds of these theorists, many of whom were Spiritual Franciscans, than was love of the secular power. However, as the anti-papalists did not all base their arguments on the same ground it will be found profitable to discuss more than one of their number.

There were, as might be expected, one or two men, like Lupold von Bebenburg, who were, as he puts it, consumed by a 'fervent zeal for Germany, the fatherland'.⁹⁴ They were essentially constitutionalists of the old school and only secondarily interested in the theological issues. Lupold's general tone is that of previous imperialist writers. He quite readily admits the supremacy of the pope in spiritual matters, but denies that he has any authority in temporal affairs. He still holds to the defensive position of the older theorists of the empire, and is content with a justification, admittedly logical and comprehensive, of the empire, rather than an attack on the papacy. His theory is little more than the time honored doctrine of the division of power brought out yet once again.

Amongst the group of writers who attacked John XXII primarily as a result of his tussle with the Franciscans, was a distinguished Englishman, William of Ockam. William carried the

device of the scholastics, logical disputation, to a ridiculous extreme. Most of his works are written in the form of debates in which both sides of the question are presented with meticulous regard for detail. No decision is ever reached, and more often than not the rambling nature of the conversation obscures the subject.⁹⁵ This, combined with his habit of scattering his opinions at awkward distances through his very prolific writings, would have made William almost inaccessible had he not decided towards the end of his life, possibly sensing that if he did not do so he would never be read, to give a somewhat more concise version of his political opinions in 'De Imperatorum et Pontificum Potestate'. His basic hypothesis is that Peter, and his successors the popes, were granted only limited power,⁹⁶ which did not include the right to interfere in the liberties of others, or in the administration of secular affairs. "The principality of the Pope was instituted for the utility and advantage of its subjects, not for the honor, or glory, or utility, or temporal good of the prince, and so it should rightly be called a principality of service, not of power."⁹⁷ The rights not to be interfered with are all those normally belonging to non-Christians; to deprive Christians of these would be to place them on a lower status than infidels.⁹⁸ The true authority of the pope, as chief among the bishops and therefore having primary responsibility for the churches, "extends

to the reading, speaking and preaching of God's word, to divine worship, and to all the things necessary and proper to Christians for obtaining eternal life, which do not exist among infidels".⁹⁹ Ockam denies (in anticipation of the conciliar attitude) any notion that might be developing as to the infallibility of papal pronouncements on matters of doctrine. The authority for such decisions must rest on the Gospel alone, as interpreted by a council of sage and impartial philosophers, not the pope individually.¹⁰⁰

Most significant of all the works written against the papal position at this time is the 'Defensor Pacis' of Marsiglio of Padua, assisted by John of Jandun. With the 'Defensor' the wheel comes full circle. For the first time the faulty link in the theories of the imperialists, the concession that the spiritual power is in some respects superior to the temporal, is removed. Marsiglio is the first author who completely denies any preeminence whatsoever to the ecclesiastics and claims the church to be inferior to the secular authority in all matters of earthly concern.¹⁰¹ Far from being the priestly class alone the church is envisioned as the whole body of Christian believers.¹⁰² Ultimate authority, therefore, so far as the church militant is concerned, rests with the people as a whole, and their will is expressed through a general council. But Marsiglio denies even

this body any real power; compulsion in leading men towards salvation (the sole duty of the church) is absolutely forbidden.¹⁰³ All power of convoking the council and enforcing its opinion rests with the secular authority,¹⁰⁴ which alone is capable of pronouncing even such purely ecclesiastical penalties as interdict and excommunication. Marsiglio attacks the hierarchy of the church with scarcely less ferocity than he does its pretensions to temporal power. He denies that the Bishop of Rome has any greater jurisdiction than any other bishop, but grants that 'for convenience of administration and direction in spiritual life' he may be conceded some preeminence.¹⁰⁵ In asserting that the whole of the Petrine theory is a fiction and that Peter never was in Rome, Marsiglio strikes at the very deepest roots of the papal authority.¹⁰⁶ Obviously this writer had given voice to thoughts that were very dangerous indeed for the whole system of the Medieval Church and Papacy.

The old ideas, in fact as well as theory, were disintegrating. The conception of unity, which was really, I am convinced, the keystone supporting the whole of the medieval system, had dropped from its high place; without it the entire structure must inevitably fall. The history of the fourteenth and fifteenth centuries is a sad picture of the gradual crumbling and wasting away of this once noble edifice. It is true, undoubtedly, that

much of the material was utilized in the construction of the Renaissance world, and in the new building many details were distinctly reminiscent of the old. But the central motif had unquestionably changed. The papacy is one of those institutions, properly belonging to the middle ages, which survived the initial onslaught of Renaissance ideas, and managed, though rather battered and deflated, to find a place for itself in the structure of the modern world. It still holds its position as a rather shadowy symbol of the unity which once characterized Christendom, but the lustre and brilliance of the institution from the time of Gregory VII to Boniface VIII has long since passed. The reason for the disintegration was as much the course of European civilization as any defect in the organization itself. Even at the height of its glory under Innocent III the papacy was far from perfect; it had most of the faults of any other human creation. Yet for all that, in its claims, organization and conduct, as well as its outlook and popularity, the papacy must be considered one of the most complete productions of the medieval world.

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V, p. 33
64. Carlyle, op. cit., V, p. 348
65. Aquinas, 'De Regimine Principum' cited from Carlyle, op. cit., V, 349
66. Carlyle, op. cit., V, p. 351
67. Ibid. p. 351
68. Aquinas 'Commentary on the Sentences of Peter Lombard',
cited from Carlyle, op. cit., V, p. 352
69. Carlyle, op. cit., V, p. 354
70. Thatcher & McNeal, op. cit., p. 311
71. McIlwain, op. cit., p. 244
72. Register of Boniface VIII, cited from Carlyle V, 385
73. McIlwain, op. cit., p. 245

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75. Cited from Thatcher & McNeal, p. 314
76. McIlwain, op. cit., p. 250
77. Ibid. p. 250
78. Egidius, 'De Potestate Ecclesiastica' cited from McIlwain, p.252
79. Ibid. p. 254
80. Ibid. p. 255
81. Ibid. p. 256
82. John of Paris 'Tractatus de Potestate regia et papali', cited
from Carlyle V, p. 422
83. Ibid. p. 423
84. Ibid. p. 424
85. Ibid. p. 427
86. Ibid. p. 429
87. Ibid. p. 432
88. Ibid. p. 433
89. Dunning, op. cit., p. 221
90. Ibid. p. 236
91. See McIlwain, op. cit., p. 280
92. Alvaro 'De Plenitu Ecclesiae', cited from McIlwain, op. cit.,p.283
93. Ibid. p. 287
94. Lupold 'Tractatus de Iuribus Regni', cited from McIlwain,op.cit.,
p. 288
95. Dunning, op. cit., p. 245
96. McIlwain, op. cit., p. 294
97. William of Ockam, 'De Imperatorum et Pontificum Potestate', cited
from McIlwain, p. 295
98. Ibid. p. 295
99. Ibid. p. 296
100. Ibid. p. 296
101. Ibid. p. 313
102. Dunning,op. cit., p. 241
103. Ibid. p. 242
104. Ibid. p. 243
105. Defensor Pacis, cited from Dunning, p. 244
106. Flick, The Decline of the Medieval Church.
London, 1930, p. 198

Appendix

Table of Contemporary Chronology

<u>Popes</u>	<u>Emperors</u>	<u>France</u>	<u>England</u>
Gregory VII 1073-85	Henry IV 1056-1106	Philip I 1060-1108	Wilm. C. 1066-87
Victor III 1086-87			Wilm. R. 1087-1100
Urban II 1088-99			
Paschal II 1099-1118	Henry V 1106-25	Louis VI 1108-37	Henry I 1100-35
Gelasius II 1118-19			
Calixtus II 1119-24			
Honorius II 1124-30	Lothar II 1125-37		
Innocent II 1130-43	Conrad III 1138-52	Louis VII 1137-80	Stephen 1135-54
anti -popes Anacletus 1130-38			
Victor 1138			
Celestine II 1143-44			
Lucius II 1144-45			
Eugenius III 1145-53	Frederick Barb. 1152-90		
Anastasius IV 1153-4		Philip Augus. 1180-1223	Henry II 1154-89
Hadrian IV 1154-59			
Alex. III 1159-81			
anti -popes Victor 1159-64			
Paschal III 1164-68			
Calixtus III 1168-78			
Gando 1178-80			
Lucius III 1181-85			
Urban III 1185-87			
Gregory VIII 1187	Henry VI 1190-97		Rich. I 1189-99
Clement III 1187-91	Otto IV 1197-1212		
Celestine III 1191-98	Philip II 1197-1208		John 1199-1216
Innoc. III 1198-1216	Fred. II 1212-50	Louis VIII 1223-26	Henry III 1216-72
Honorius III 1216-27		Louis IX 1226-34	
Gregory IX 1227-41		(regency)	
Celestine IV 1241	Conrad IV 1250-54	1234-70	
Innoc. IV 1243-54			

<u>Popes</u>	<u>Emperors</u>	<u>France</u>	<u>England</u>
Alex. IV	Interregnum 1254-73		
Urban IV			
Clement IV			
Gregory X	Rudolph (of Hap.) 1273-92	Philip the Bold 1270-85	Ed. I 1272-1307
Innocent V			
Adrian V			
John Xx or XXI			
Nicholas III			
Martin IV			
Honorius IV			
Nicholas IV	Adolf (of Nassau) 1292-98	Philip the Fair 1285-1314	
Celestine V			
Boniface VIII	Albert I (Hap.) 1298-1308		
	1303		
Benedict XI	Henry of Luxemburg 1309-1313	Louis le Hutin 1314	Ed. II 1307-27
	1305		
Clement V	Louis of Bavaria 1314-1347	John I 1315	
		Philip the Long 1316-21	
		Charles the Fair 1321-28	Ed. III 1327-77
John XXII		Philip of Valois 1328-51	
	1315-		
	1334		

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